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# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

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## 20th-Fox Will Raise Rentals On Big Budget

### *Past Record Merits New Prices, Says Wobber*

CHICAGO, April 2.—Increased rentals will be expected by 20th Century-Fox next season in line with the considerably increased budget, Herman Wobber, distribution chief, told the final general session of the company's sales convention here.

Executives and delegates left over the weekend, following meetings conducted by division and district managers on Saturday.

Twenty representative Chicago exhibitors attended the final session and heard Wobber discuss the new program of 52 pictures and the necessity for higher prices for features and shorts. "We only want to get what our product is worth," he said. "On the merit of our past record we should get increased prices."

**Budget Above This Year's**

Wobber said all situations had been priced already and that district managers will inform field staffs of what is expected. The budget for the new season's 48 films to be made in Hollywood will be greater than this year's 52 and, in fact, will be the largest the company ever had, he declared.

Five to seven features will cost in the neighborhood of $2,000,000 each, and the Shirley Temple pictures will be budgeted at a higher figure, Wobber said. The company plans to bor-

(Continued on page 4)

## Introduce Revised Film Bill in France

PARIS, April 2.—Final revised film bill has been introduced in the Chamber of Deputies by Jean Zay, Minister of National Education.

The former provision in the first draft limiting the length of theatre programs to 10,000 feet has been eliminated. Another provision opposed to American interests, dubbing tax on foreign films, has been retained. According to the Franco-American trade treaty, a dubbing tax on American films cannot be imposed, but apparently the measure would provide for virtual dictatorship by the Minister of National Education over the importation and exhibition of American films in France, if and when France can have the trade agreement partially changed.

### *N. Y. to Get Baird Telecasting Sets*

**London, April 2.—Baird television sets will be shipped to New York within three weeks, according to a statement by Isadore Ostrer. It was not stated to what Broadway house the shipment was consigned. Ostrer is convinced that the British Broadcasting Corp. monopoly on television is not final and that independent service will be attained.**

## 20th-Fox Announces Titles of 31 Films On Schedule of 52

Darryl Zanuck

Thirty-one titles of the 52 films 20th Century-Fox will have for next season were announced over the weekend in conjunction with the company's annual sales convention in Chicago which ended on Saturday.

The product outline was given by Herman Wobber, general manager of distribution, to convention delegates.

Forty-eight features will come from Hollywood and four from England, two of which will be Gracie Fields pic-

(Continued on page 4)

## Block-Booking Bill Hearing on Today; May Run All Week

WASHINGTON, April 2.—Hearings on the Neely block-booking bill, to open tomorrow before a subcommittee of the Senate Interstate Commerce Committee, will probably run through the entire week, it was indicated tonight by members of the group.

While a considerable number of individuals and organizations have asked for time in which to present their views on the block-booking question, the hearings will be extended, it is believed, by the lengthy presentations which the major parties at interest—the Hays office and Allied—are understood to be preparing.

**Among the Witnesses**

No schedule has been set for the hearings and no complete list of witnesses is available, but among those who will appear are Ed Kuykendall, president, M.P.T.O.A., Abram F. Myers, Allied general counsel, Col. H. A. Cole, Allied president, Nathan Yamins, head of Massachusetts Allied, and Martin Smith, Ohio Allied president, as well as a large number of representatives of non-film organizations, who are expected to take most of the time.

Representatives of all groups agree that the hearings this year have a significance never before attached to the subject because of the fact that block-booking is an issue in the Government's New York anti-trust suit, while various of its ramifications are involved in other suits now in the courts. Another new factor is the industry's

(Continued on page 7)

## *Dodge City Whoops 'er Up For Warner Film Opening*

By SAM SHAIN

DODGE CITY, Kan., April 2.—It was in that raging Kansas blizzard of a year ago which tied up all manner of commerce and transportation for several days that the idea of a "Dodge City" film was born. And, over the weekend, upon the anniversary of that occasion, the State of Kansas, Dodge City and Warner Bros. put on one of the greatest one-day shows ever seen, in observance of the premiere of the film which commemorates this town, the Santa Fe Railroad and surrounding territory.

In that stormbound part were Gradwell Sears, Carl Leserman, S. Charles Einfeld and Mort Blumenstock. They were on their way east from the coast. That night, being stranded in Dodge City, they decided to look over the situation and over their dinner plates there came this novel idea of making a picture around the early history of Dodge City. It was Sears who started the thing.

And so, beginning Saturday and lasting through Sunday, Dodge City retraced 50 years or more of its romantic history to observe the premiere of Warner Bros.' picture, "Dodge City." This famous old cattle town swelled from a normal population to almost 50,000 in two days. Governor Payne Ratner of Kansas, Governor John Miles of New Mexico, Mayor

(Continued on page 7)

## Strike Status Is Unchanged After A Week

### *All Deliveries Are Made Over Weekend*

By SHERWIN KANE

Not a single theatre in the metropolitan area was forced to close over the weekend for lack of film because of the picketing of New York exchanges in the I.A.T.S.E.-Local 306 strike. Weekend film deliveries were completed on schedule with no more than the usual number of miss-outs, and they were corrected promptly.

Thus at the end of the first week of the strike, exhibition in the metropolitan area continued unaffected. Moreover, informal assurance that Local 306 would not act against the theatres directly "for a reasonable length of time" was given the State Mediation board on Friday by Mathew Levy, attorney for the local. The action against theatres will be held in abeyance, it is understood, dependent upon developments during the next few days. Chief purpose is to give the mediation board an opportunity to attempt to develop an acceptable plan for absorption of Empire State Operators' union by Local 306, which would accomplish the primary objective of the strike.

A meeting of Levy and other union officials with the mediation board to further the informal theatre agreement may be held today.

Mediation board officials, commenting on their jurisdiction in the case, pointed out that phases of the strike

(Continued on page 4)

## Govt. Gets Report on N. Y. Clearance

Seymour Kreiger, special assistant to the U. S. Attorney General, over the weekend submitted his report to the Department of Justice on clearance problems in several upstate New York situations which he investigated during the week.

He was accompanied on his tour by E. Thornton Kelly, executive secretary of New York Allied. Complaints investigated were those filed by Allied members, "quite a few" of which have been made, according to Max A. Cohen, president of the organization.

Cohen said Allied plans "drastic action" in connection with the situation. It has been indicated, also, that Government might contemplate bringing an anti-trust suit.

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# Benefit Dinner Held For Yeshiva College

About 400 persons representative of the industry attended a dinner sponsored by the Motion Picture Industries committee at the Hotel Astor last night to raise a scholarship fund for refugee students at Yeshiva College. The proceeds will help in establishing 15 scholarships and three professorships for refugees from Germany.

Speakers at the dinner included James Roosevelt, Louis Nizer, George J. Schaefer, Bernard Revel, president of Yeshiva College, and M. H. Aylesworth. Prof. Moritz Werner of the faculty expressed the gratitude of the refugees, 12 of whom were present. Dr. Nelson P. Mead, president of City College of N. Y., was toastmaster.

Entertainment was provided by Jan Pearce and Viola Philo of Radio City Music Hall, Leonard Warren of the Metropolitan Opera and a Music Hall orchestra ensemble. The speeches were broadcast over WMCA from 11:15 to 11:45 P.M.

W. G. Van Schmus, managing director of the Music Hall, was chairman of a large industry sponsoring committee.

## *Program Is Set on SMPE Convention*

Tentative program of the Society of M. P. Engineers convention to be held at the Roosevelt Hotel, Hollywood, April 17-21, has 18 sessions planned. The program follows: Monday, registration, general and business session, luncheon get together, general session, sound session. Tuesday, projection and 16mm. session, visit to Paramount studios, general session. Wednesday, sound sessions. Thursday, laboratory and photographic session, visit to Warners' studio, banquet. Friday, studio practice session, television session.

## *RKO Latin America Post to Gus Schaefer*

Gus Schaefer, formerly Continental European manager for Paramount for many years, has been given a special assignment by the RKO foreign department covering Latin American markets. He sailed Saturday for Central and South America on the *Santa Clara.*

On his return to New York about June 1, Schaefer is expected to be named to a permanent post in the RKO foreign department.

## *Ross Federal Shifts*

Norman Brennan, Ross Federal Service branch manager at Omaha, has resigned. Harold Anderson, former assistant manager in Chicago, will succeed him. Stewart C. Martin of Boston goes to Chicago. William A. Warner of Baltimore has been transferred to Philadelphia.

## *Wins $3,500 Judgment*

Judgment for $3,500 against Educational Pictures, Inc. was entered Friday in N. Y. Supreme Court in favor of Lillian Tasker, as assignee of Albert G. McCarthy, Jr. The claim, which was upheld after arbitration, is for legal services rendered to Educational Pictures in 1936.

# *◂ Purely Personal ▸*

SAMUEL ECKMAN, JR., M-G-M British chief, and MRS. ECKMAN returned to England Saturday on the *Normandie.* ARTHUR GARFIELD HAYS, lawyer; MERLE OBERON and PAUL DRAPER, dancer, also sailed.

•

JAMES ROOSEVELT, United Artists vice-president, has deferred his sailing to Europe to April 7 on the *Queen Mary.*

•

ALFRED HITCHCOCK left for the coast Friday night to direct "Rebecca" for Selznick-International. He was accompanied by ALMA REVILLE, his wife and continuity writer, their daughter, PATRICIA, and JOAN HARRISON, his assistant.

•

LEON G. TURROU, former G-man, who has been technical adviser on Warner's "Confession of a Nazi Spy," will leave Hollywood for New York late this month for a personal appearance tour with the picture.

•

JACK MERCER and his wife, MARGIE HINES, the voices of "Popeye" and "Olive Oyl" in the "Popeye" cartoons, arrived in New York Friday aboard an Eastern Airliner from Florida.

•

EARLE W. HAMMONS went to Washington last night.

MAURICE SILVERSTONE, United Artists operating head, arrived in New York by train yesterday after three weeks at the studio.

•

ROBERT BENCHLEY has completed three shorts at Eastern Service Studios for M-G-M and leaves for the coast tomorrow. This completes his eight-film commitment this season.

•

RICHARD PERRY, New York Grand National salesman, has been named acting exchange manager here, replacing PETER ROSIAN, resigned.

•

FRANK DONOVAN, RKO Pathe production manager, will return today from a trip to Washington, Bowie and Wilmington.

•

SHIRLEY C. BURDEN, formerly with RKO Pathe News, is in New York for a month's visit. He is president of Tradefilms, Inc.

•

JOSEPH BERNHARD, general manager of Warner Theatres, left yesterday by plane for a week of conferences at the Warner studio.

•

HARRY G. KOSCH, New York Allied counsel, in due today from a business trip to Cuba.

## *Ben Goetz to Coast*

Ben Goetz, M-G-M British production head, left for the coast Friday with a print of "Goodbye, Mr. Chips" accompanied by Greer Garson, star of the picture. Sam Wood, who directed the film, followed Saturday. Goetz, Miss Garson and Wood arrived from England Thursday on the *Normandie.* Gabriel Pascal and Laurance Irving, set designer, who also came in from abroad Thursday, will probably leave for Hollywood some time this week.

## *Buys 'Eternal' Rights*

All assets, including film rights, of the Franz Werfel play, "The Eternal Road," have been purchased by David Shapiro, publisher of *The Day,* Jewish newspaper. Shapiro has no immediate production plans.

## *U. A. 'Heights' Party*

United Artists celebrated the completion of "Wuthering Heights" by a cocktail party at the Ritz Carlton Friday with Merle Oberon, William Wyler and James Roosevelt acting as hosts. Those present included Oscar Doob, Joseph Vogel, C. C. Moskowitz, Harry Goldberg, Joseph Bernhardt, Clayton Bond, John O'Connor and Fred Myers. "Wuthering Heights" opens at the Rivoli April 14.

## *Shulgold Joins G.N.*

PITTSBURGH, April 2.—Max Shulgold has been named Grand National exchange manager, succeeding Charles Dortic, who has joined the Warner sales force, covering West Virginia in place of Maurice Kincler, resigned.

# *Exhibitor Organizations Plan Early Study of Practice Draft*

**National and regional exhibitor organizations began immediate preparations over the week-end for submitting the final industry trade practice draft to their membership for action.**

**M.P.T.O.A. headquarters will forward copies of the draft to all of its affiliated regional units, and as rapidly as they are received, membership meetings will be called.**

**Col. H. A. Cole, Allied president, is due in Washington today from Dallas and will discuss the draft with Abram F. Myers, general counsel. Allied's approval rests with the national board, which is not scheduled to meet until June 13 in Minneapolis.**

**Harry Brandt, I.T.O.A. president, is studying the draft and will discuss it at a membership meeting on April 12. Max A. Cohen, Allied of New York head, refused comment.**

**W. F. Crockett, president of M.P.T.O. of Virginia, unaffiliated regional, has called a membership meeting for Wednesday to consider the draft. Indications are that it may be some time before all organizations have replied.**

# *'U' Signs New Pact With Clerical Union*

Contracts have been signed by Universal and Big U Film Exchange with Bookkeepers, Stenographers & Accountants Union for a two year period, retroactive to Feb. 21. Home office employes who have been with the company up to 10 years will receive a 10 per cent increase and others will receive 15 per cent. Hours were set at 37½ weekly. Exchange employes will receive 15 per cent increases and will work 40½ hours. Further increases of 5 per cent for all will be g[illegible]ed at the end of the first year.

The closed shop issue has been settled by permitting present non-union employes to remain outside the union, but future employes must join the union. Union officials stated Friday that they planned an intensive organizational drive, starting today, for contracts with other home offices and exchanges.

## *Managers, Publicity Men Not Employers*

Theatre managers and publicity men are not employers within the meaning of the Labor Relations Law, according to a ruling of the Massachusetts Labor Relations Commission received here by Theatrical Managers, Agents & Teamsters Union. "The fact that an employe is in a supervisory position does not exclude him from being an employe and as such he is entitled to all the benefits provided by law."

The union had petitioned for an order designating it as the collective bargaining agent for the employes of Loew's Boston Theatres Co. and the company opposed the petition on the ground that this class of employe did not come within the law.

## *Edison Aide Dies*

Charles Stillwell, 78, an associate of Thomas A. Edison in the founding of his enterprises, died last week at Avon, Conn. He worked with the inventor for many years.

## *Miss Gerstein to Boston*

Evelyn Gerstein has gone to Boston to handle publicity for the openings there of "Crisis" at the Trans-Lux, April 7, and "Ballerina" at the Fine Arts.

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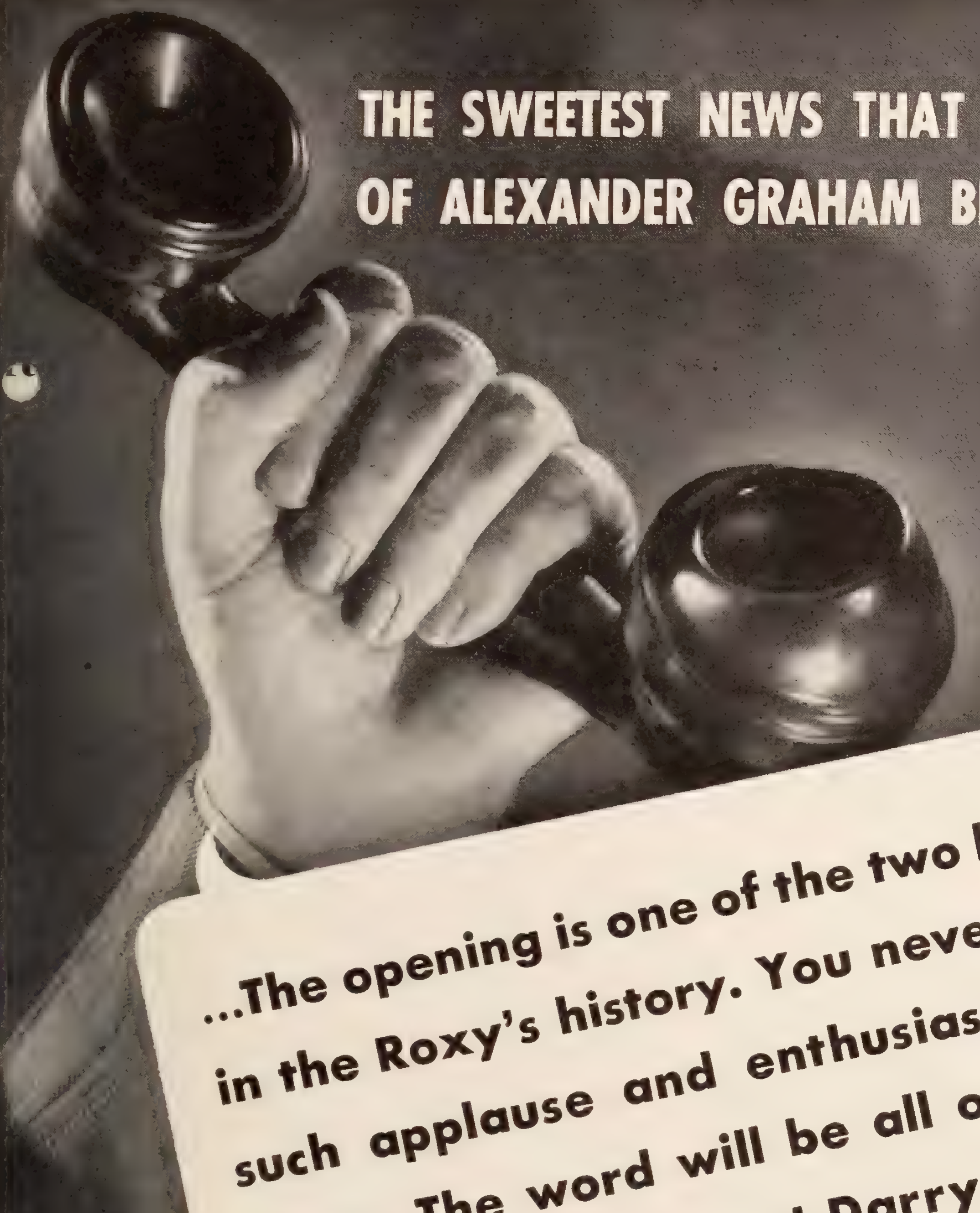

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# THE STORY OF
# ALEXANDER GRAHAM BELL

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

# 20th-Fox to Raise Rentals on Bigger Budget for '39-'40

(*Continued from page* 1)

row stars from other studios when necessary to give films proper casts.

"Any eliminations or substitutions made will be for the purpose of bolstering the product," he declared.

The company's story trend will be away from the "boy meets girl" type to pictures more like "The Story of Alexander Graham Bell" and "Stanley and Livingstone," said Wobber, and the company plans no controversial films. No product will be released for 16mm. film use.

He said 20th Century-Fox will do everything possible to keep its stars off the radio and that a deal is pending for the company to purchase Don Ameche's radio contract.

Sidney R. Kent, president, said it took a new kind of picture to "jar people out of their present indifferent attitude" and that the company plans a program capable of doing this. He said war scares and other disturbances could not defeat a film that people wanted to see. Kent complimented William F. Rodgers, general sales manager of M-G-M, for his work in negotiating the proposed trade practice code and discussed the code briefly.

Addressing the delegates by phone from Hollywood, Darryl F. Zanuck, production chief, said: "Business depressions, war scares and the like won't stop us from having our best year." He spoke on the new product and praised Wobber and the distribution forces for their sales record.

## *20th-Fox to Develop Latin America Field*

**Chicago, April 2.—Development of the Latin American market will be an important phase of the 20th Century-Fox distribution job, S. R. Kent, president, told the company's convention here on Friday. Kent and other executives plan to visit South America to study conditions.**

**"Our thought is to develop that market," he said. "This is an important job. The film business is the only salesman today covering a worldwide front. The American film is the greatest sales force our country has today in foreign countries, and it is our hope to increase this prestige in South America."**

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# *20th-Fox Lists 31 Titles of 52 Films*

(*Continued from page* 1)

tures and two with Annabella. This season there are 52 Hollywood-made films and there are two from England.

Darryl F. Zanuck, vice-president in charge of production, will supervise the entire program and will make 24. Sol. M. Wurtzel, associate producer, will be responsible for the other half of the Hollywood product, continuing to concentrate on the series, which will include the Jones Family, Charlie Chan, Mr. Moto and Jane Withers comedies. There will be four in each series.

### Program Is Varied

Zanuck's list includes three Cosmopolitan Productions, one of which will be "Hotel for Women," by and with Elsa Maxwell.

The program will have spectacles, drama, comedy, adventure stories on an epic scale, biography and mystery. Five big spectacles listed are "The Rains Came," "Stanley and Livingstone," "Little Old New York," "Brigham Young" and "Drums Along the Mohawk." These will be in the top budget bracket.

"The Rains Came" is described as "the biggest production ever attempted" by the company. "Stanley and Livingstone" has been two years in the making, and a crew was sent to Africa for authentic background. Another big picture scheduled is "Hollywood Cavalcade," described as "the 'Big Parade' of film history, patterned to the scale of 'Alexander's Ragtime Band'."

Three films are scheduled to be in color. One is "Lady Jane" with Shirley Temple, who will make two others, untitled. Sonja Henie will make two, "Everything Happens at Night" and an untitled S. S. Van Dyne mystery.

### Titles Are Listed

Major films announced are as follows:

"The Rains Came," based on novel by Louis Bromfield; co-starring Myrna Loy, Tyrone Power and George Brent, with support including Cesar Romero, Joseph Schildkraut, Maria Ouspenskaya, Henry Travers. Clarence Brown will direct.

"Stanley and Livingstone," to be directed by Henry King, with Spencer Tracy, Richard Greene, Nancy Kelly, Sir Cedric Hardwicke, Walter Brennan, Henry Hull, Henry Travers, Charles Coburn.

"Hollywood Cavalcade," with Alice Faye and Don Ameche co-starred; screenplay by Ernest Pascal, from story by Lou Breslow.

"Maryland" to be produced in color as sequel to "Kentucky." The story, by Sonya Levien, deals with the breeding of thoroughbred trotting horses and the history of Maryland.

"Lady Jane," Shirley Temple dramatic film in color on scope of "The Little Princess." Adapted from child classic by Mrs. C. V. Jamieson, with New Orleans Mardi Gras background. To be directed by Walter Lang.

"Everything Happens at Night," romantic comedy starring Sonja Henie, featuring her ice ballets.

"Drums Along the Mohawk," in color. Dealing with early days of the pioneer trappers, this novel by Walter Edmonds has been in preparation two years; with all-star cast.

"The Mark of Zorro," starring Tyrone Power.

"A Briton at Yale," drama starring Richard Greene, dealing with traditions of the college.

"Swanee River," dealing in song and drama with the Old South; starring Don Ameche.

"Little Old New York," starring Alice Faye; based on play by Rida Johnson Young.

An untitled mystery story by S. S. Van Dyne, starring Sonja Henie.

"Hotel for Women," Cosmopolitan production, in which Elsa Maxwell will make her screen debut in a story which she wrote in collaboration with Kathryn Scola. Gregory Ratoff will direct.

"Dance with the Devil," original by William Rankin and Eleanore Griffin.

"Frontier Marshall," dramatization of the West in the time of Wyatt Earp.

"He Married His Wife," co-starring Warner Baxter and Binnie Barnes.

"Johnnie Apollo," drama of modern youth, by Samuel G. Engel, Hal Long and Roland Brown.

"The Khyber Rifles," a story of action in India. To be produced lavishly. No cast announced.

"20,000 Men a Year," story of modern aviation and its problem of creating fliers in American colleges, by Frank Wead.

"Here I Am a Stranger," father and son drama with a collegiate atmosphere. Based on novel by Gordon Hillman first published in *McCall's* magazine.

"Scotland Yard," based on stage play of same name by Denison Clift.

"Breach of Discipline," adapted from a European stage hit dealing with women in the medical profession.

"Steinmetz, the Great," production based on the struggles and romance of the scientist.

"Red Cross Nurse," on the heroism of nurses.

"I Was an Adventuress," drama of a woman leader of a band of European swindlers.

"A Deal in Hearts," domestic farce involving the eternal triangle.

"Dance Hall," adaptation of W. R. Burnett's novel of the steel workers, "The Giant Swing," to be directed by Gregory Ratoff.

Irving Berlin's "Bowery Nightingale," successor to his "Alexander's Ragtime Band."

"Brigham Young," saga of the Mormon Church and its founder.

"Belle Starr," story of a woman outlaw of the West.

"Lillian Russell," dealing with the days of New York musical comedy and the star.

"The Postman Walks Alone," listed as "one of the most vital stories the studio has scheduled for production."

In addition there will be two films to be produced by Zanuck with Shirley Temple as star.

Associate producers on the 20th Century-Fox staff are: Harry Joe Brown, Raymond Griffith, David Hempstead, Nunnally Johnson, Edward Kaufman, Kenneth Macgowan, Gene Markey and John Stone.

Stars and featured players under contract include: Shirley Temple, Tyrone Power, Sonja Henie, Alice Faye, Don Ameche, Nancy Kelly, Richard Greene, Cesar Romero, Annabella, Warner Baxter, Binnie Barnes, Peter Lorre, Sidney Toler, Jane Withers, Lionel Atwill, Henry Fonda, Joan Davis, the Ritz Brothers, John Carradine, Lynn Bari, Spring Byington, Jed Prouty, Eddie Collins, Douglas Fowley, Russell Gleason, Kane Richmond, Joseph Schildkraut, George Sanders, Slim Summerville, Wally Vernon, Marjorie Weaver, Arleen Whelan, Florence Roberts, Amanda Duff, Pauline Moore and Joan Valerie.

Directors under contract include: Otto Brower, Irving Cummings, Roy Del Ruth, Allan Dwan, John Ford, Eugene J. Forde, Norman Foster, Herbert I. Leeds, Henry King, Walter Lang, Sidney Lanfield, George Marshall, Gregory Ratoff, William A. Seiter, Malcolm St. Clair and Alfred Werker.

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## *Strike Holds Local 20th-Fox Staff Here*

**Operators' strike emergency prevented the local 20th Century-Fox staff from attending the company's convention in Chicago. Scheduled to attend were Harry H. Buxbaum, metropolitan district manager; Joe Lee, sales manager, and Morris Sanders, office manager, as well as salesmen and bookers. This is the first sales convention Buxbaum has missed in 25 years.**

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# Strike Status Same At End of A Week

(*Continued from page* 1)

affecting exhibition, which is not in interstate commerce, were properly the concern of the board. Foremost of these are the Empire State contracts with Century and Cocalis circuits and the possibility of interference with exhibition resulting from the strike.

The board conceded that it was not concerned with the distribution phases of the strike. A tieup of exchanges or stoppage of film deliveries would involve a commodity in interstate commerce and, thus, would be within the province of a Federal agency.

Indications are that if Local 306 gives formal assurances on its theatre policy today they will include agreements not to call out projectionists and not to instruct propectionists to refuse to handle film coming into the booths, subject to developments.

### Injunction Completed

Distribution company attorneys have completed drawing up an application for an injunction against the union but it will be held in abeyance pending Government moves in the situation and because of the general prospect of noninterference with theatres for the time being.

The Federal investigation under Joseph E. Brill of the Attorney General's Washington staff, and William McGovern of the Federal District Attorney's office here, continued over the weekend, although it was confined largely to informal questioning of theatre men, distribution company executives and their attorneys, and Empire State officials.

Federal agents followed up their questioning of the circuit men with questioning of Local B-51 officials over the weekend. Local 306, and possibly I.A.T.S.E. officials, are scheduled to be called this afternoon.

The Federal office said that Local 306 officials had been asked to appear for questioning along with the others but had not complied immediately. It was stated that subpoenas would be issued for all who did not appear voluntarily.

The line of questioning by the Federal men was one designed to determine whether the situation existing as a result of the I.A.T.S.E.-Local 306 strike was brought on by wages and hours considerations, or was one involving possible violations of the anti-trust laws. If it is the former, the situation would come under the provisions of the Norris-LaGuardia Act and the government would be powerless to interfere. If the latter, however, was the case, the government is empowered to proceed immediately against the union.

# 'Love Affair' At $21,000 to Lead Boston

Boston, April 2.—"Love Affair" and "Twelve Crowded Hours" hit $21,000 at Keith Memorial. "Stagecoach" and "Whispering Enemies," dualed at Loew's Orpheum and State, pulled second money with $19,000 and $[illegible]500 for a $31,500 total.

[illegible]stimated takings for the week ending March 29:

**"Strange Faces" (Univ.)**
**(4 days with vaude.)**
**"Renegade Trail" (Para.)**
**(4 days with vaude.)**
**"Star of Midnght" (RKO) (2nd run)**
**"Lost Patrol" (RKO) (2nd run)**
RKO KEITH BOSTON—(3,000) (20c-30c-40c) Gross: $8,000. (Average, $8,000)
**"Love Affair" (RKO)**
**"Twelve Crowded Hours" (RKO)**
KEITH MEMORIAL—(2,790) (25c-35c-40c-55c) 7 days. Gross: $21,000. (Average, $15,000)
**"Blackwell's Island" (W. B.)**
**"Arizona Wildcat" (20th-Fox)**
PARAMOUNT—(1,797) (25-35c-40c-55c) 7 days. Gross: $6,000. (Average, $9,000)
**"Blackwell's Island" (W. B.)**
**"Arizona Wildcat" (20th-Fox)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $5,500)
**"Midnight" (Para.)**
**"King of Chinatown" (Para.)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $11,500. (Average, $14,500)
**"Stagecoach" (U. A.)**
**"Whispering Enemies" (Col.)**
LOEW'S ORPHEUM—(2,907) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $14,500)
**"Stagecoach" (U. A.)**
**"Whispering Enemies" (Col.)**
LOEW'S STATE—(3,537) (25c-35c-40c-55c) 7 days. Gross: $12,500. (Average, $10,500)
**"Wife, Husband and Friend" (20th-Fox)**
**"Tailspin" (20th-Fox)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross: $4,000. (Average, $5,500)

## *'Midnight' Grosses $8,000, Providence*

Providence, April 2.—Warm weather cut into receipts, with the Strand's double bill, "Midnight" and "The Frontiersmen," grossing $8,000. Runnerup was the Carlton's extended run with "Pygmalion" and "Whispering Enemies" taking in a neat $6,000.

Estimated takings for the week ending March 29-30:

**"Midnight" (Para.)**
**"The Frontiersmen" (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $6,000)
**"Sergeant Madden" (M-G-M)**
**"Blondie Meets the Boss" (Col.)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,500. (Average, $11,000)
**"Wife, Husband and Friend" (20th-Fox)**
**"Everybody's Baby" (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)
**"Prison Without Bars" (U. A.)**
**"Twelve Crowded Hours" (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $5,500. (Average, $6,000)
**"On Trial" (W. B.)**
FAY'S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,5000. (Average, $6,500)
**"Pygmalion" (M-G-M)**
**Whispering Enemies" (Col.)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $3,500)

## *'Alaska' Gable's Next*

Hollywood, April 2.—Clark Cable's next picture to follow "Gone With the Wind" will be M-G-M's "Alaska," from the Addison Marshall novel, "Seward's Folly." Anita Loos and Robert Hopkins are working on the screen play.

## *Must Like Him*

**Omaha, April 2.—Two Omaha high school girls, devout Charles Boyer fans, set a record for seeing "Love Affair" here. After they had seen it seven times Will Singer, Brandeis manager, sent them a pass, enabled them to see the picture three more times for a total of 10 in the 14 days the film ran.**

# 'Love Affair' Seattle High With $8,400

Seattle, April 2.—"Love Affair" and "The Great Man Votes" at the Fifth Avenue led the way with $8,400. "Midnight" and "Illegal Traffic" at the Paramount took $7,600.

"Pirates of the Skies" and "Navy Secrets" plus vaudeville at the Palomar drew $5,100. The weather was fair and warm.

Estimated takings for the week ending March 31:

**"Wife, Husband and Friend" (20th-Fox)**
**"Burn 'Em Up O'Connor" (M-G-M)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 2nd week. Gross: $3,100. (Average, $4,000)
**"Love Affair" (RKO)**
**"The Great Man Votes" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $8,400. (Average, $7,000)
**"Pygmalion" (M-G-M)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 4th week. Gross: $3,300. (Average, $4,000)
**"The Oklahoma Kid" (W. B.)**
**"The Arizona Wildcat" (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 7 days, 2nd week. Gross: $4,900. (Average, $6,000)
**"Pirates of the Skies" (Univ.)**
**"Navy Secrets" (Mono.)**
PALOMAR—(1,500) (15c-25c-35c) 7 days. Vaudeville headed by Norvell. Gross: $5,100. (Average, $5,000)
**"Midnight" (Para.)**
**"Illegal Traffic" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $7,600. (Average, $6,000)

# 'Oklahoma Kid' at $9,200 for Omaha

Omaha, April 2.—Annual Shrine circus furnished heavy competition here. "Oklahoma Kid," dualed with "The Three Musketeers" set the pace with $9,200 at the Orpheum.

"Ice Follies of 1939" and "Charlie Chan in Honolulu" were good at the Omaha with $7,800.

Estimated takings for the week ending March 29-30:

**"Love Affair" (RKO)**
**"The Saint Strikes Back" (RKO)**
BRANDEIS—(1,800) (25c-35c-40c) 7 days, 2nd week. Gross: $4,400. (Average, $4,000)
**"Ice Follies of 1939" (M-G-M)**
**"Charlie Chan in Honolulu" (20th-Fox)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,800. (Average, $6,000)
**"Oklahoma Kid" (W. B.)**
**"The Three Musketeers" (20th-Fox)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $9,200. (Average, $7,600)

## *Charles Higgins Dies*

Columbus, O., April 2.—Charles F. Higgins, 56, bill poster for local theatres, and previously advertising manager for the old High Street, died at his home after a brief illness. His widow and a sister survive.

# 'Each Other' With 'Chinatown King' $7,000 in Detroit

Detroit, April 2.—"Made for Each Other" and "King of Chinatown" did the best comparative business with $7,000 at the Palms State. "Three Smart Girls Grow Up" plus a stage show at the Fox took $18,000. The dual at the Michigan, "I'm from Missouri" and "Fast and Loose," drew $10,000. "Pygmalion" in its second week gave the United Artists $8,000.

Estimated takings for the week ending March 30:

**"Son of Frankenstein" (Univ.)**
**"Lone Wolf Spy Hunt" (Col.)**
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
**"Three Smart Girls Grow Up" (Univ.)**
FOX—(5,000) (20c-65c) 7 days. Stage, Mitzi Green, Mario & Floria, Lowe, Hite & Stanley, 16 Dansonettes. Gross: $18,000. (Average, $20,000)
**"I'm from Missouri" (Para.)**
**"Fast and Loose" (M-G-M)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $10,000. (Average, $10,000)
**"Made for Each Other" (U.A.)**
**"King of Chinatown" (Para.)**
PALMS STATE—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $5,000)
**"Pygmalion" (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days, 2nd week. Gross: $8,000. (Average, $10,000)

## *Detroit Tops RKO Drive*

Detroit exchange is still leading in the RKO George Schaefer drive at the end of the eighth week. New York is in second position and New Haven is third. Eastern central leads the seven districts and the eastern division leads the western.

# 'Beachcomber' Fair $13,500 In Pittsburgh

Pittsburgh, April 2.—"The Beachcomber" drew $13,500 at Loew's Penn in a week of generally slow business. "Cafe Society" at the Stanley took $14,000, and "One Third of a Nation" and "Boy Trouble" grossed $3,600 at the Warner. The weather was unusually warm.

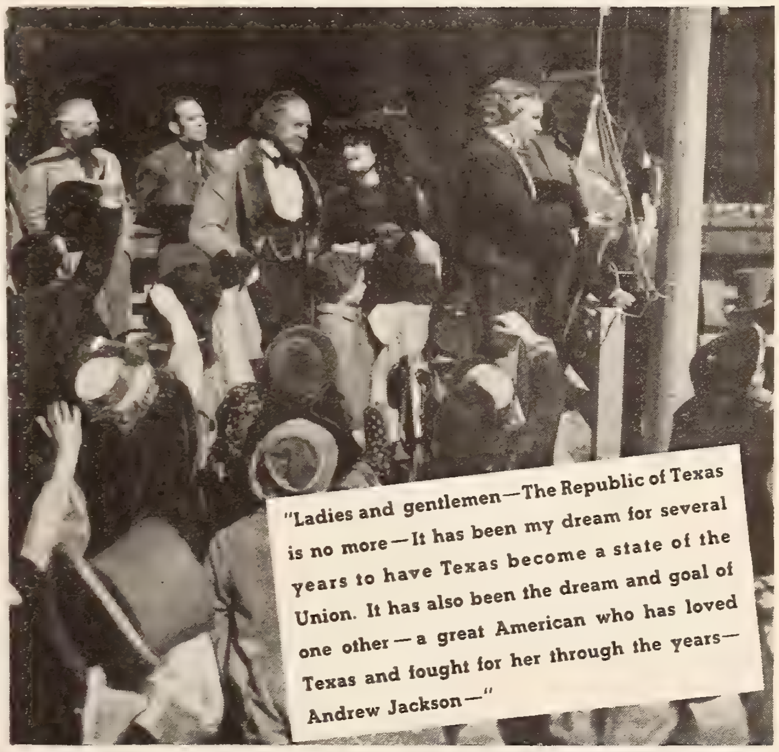
Estimated takings for the week ending March 30:

**"Winner Take All" (20th-Fox)**
**"Mysterious Miss X" (Rep.)**
ALVIN—(1,900) (25c-35c-50c) 6 days. Gross: $4,200. (Average, $7,000, 7 days)
**"The Little Princess" (20th-Fox)**
FULTON—(1,700) (25c-40c) 4 days, 3rd week. Gross: $2,000. (Average, $5,000, 7 days)
**"Beachcomber" (Para.)**
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average: $15,000)
**"Mr. Wong" (Mono.)**
**"Eagle and the Hawk" (Para.) (reissue)**
SENATOR—(2,000) (25c-40c) 6 days. Gross: $2,700. (Average, $3,800, 7 days)
**"Cafe Society" (Para.)**
STANLEY—(3,600) (25c-40c-60c) Gross: $14,000. (Average, $17,000)
**"Third of a Nation" (Para.)**
**"Boy Trouble" (Para.)**
WARNER—(2,000) (25c-40c) 7 days. Gross: $3,600. (Average, $4,500)

## *Frenke Plans 'Anschluss'*

Hollywood, April 2. — Eugene Frenke has announced plans for the production of "Anschluss," the picture dealing with Hitler's seizure of Austria and entry into Vienna. The picture will start shooting April 5.

AMERICA – FIRST, LAST – ALWAYS!



"Ladies and gentlemen—The Republic of Texas is no more—It has been my dream for several years to have Texas become a state of the Union. It has also been the dream and goal of one other—a great American who has loved Texas and fought for her through the years—Andrew Jackson—"

★ MAN OF CONQUEST ★
RICHARD DIX as Sam Houston • Gail Patrick as Margaret Lea • Edward Ellis as Andrew Jackson
Joan Fontaine as Eliza Allen • A Republic Picture

# Kansas Legislature To Adjourn Without Passing Film Bills

TOPEKA, Kan., April 2.—With adjournment of the Kansas legislature in sight it was apparent that no legislation directly affecting the motion picture industry would be enacted at this session.

The censorship bill, banning block booking and placing enforcement in the hands of the police, died in Senate committee.

The divorcement measure also expired in committee. The measure passed the house and was reported out by the Senate Judiciary Committee, only to be re-called.

The measure sponsored by broadcasters against Ascap also fell by the wayside before it could get to the Senate.

## *Negroes Win Right To Picket in Queens*

Members of a Negro association have the right to picket a theatre for the purpose of inducing the owner to employ Negroes, according to a decision of Justice Stoddard in Queens County Supreme Court. Justice Stoddard denied an injunction to Anora Amusement Corp., operator of the Palace, Corona, L. I., but instructed the Negro Youth Association of Corona to limit its pickets to two members.

Justice Stoddard declared that no labor dispute was involved but permitted the picketing because "the right of an individual or group to protest in a peaceable manner against injustice or oppression, actual or merely fancied, is one to be cherished and not to be proscribed in any well ordered society."

## *Technicians to Urge Increase in Quotas*

LONDON, April 2.—Association of Cine Technicians, at its annual conference on April 16, is expected to demand an increase in the exhibitors' and distributors' quotas on features and shorts.

Resolutions also will urge the Board of Trade to arrange regular and comprehensive Films Council reports and will express opposition to political censorship of newsreels.

### COUNCIL PLANS REPORT

LONDON, April 2.—Films Council yesterday held the last meeting of the current quota year, and considered the terms of a report for the first working period of the Films Act. The group examined the cost clause for shorts and the proposal to set up an advisory finance group.

The council's report is expected to be ready by June 1.

### *'Gunga Din' Suit Filed*

HOLLYWOOD, April 2.—RKO was named defendant today in an injunction suit filed by Harry Gould who charged that the film "Gunga Din" was pirated from an original story he submitted to the company in 1934.

# Wisconsin Bill Asks Theatre Circuit Tax

MADISON, Wis., April 2.—A bill has been introduced in the Assembly which calls for a tax on circuit theatres of $5 to $100, depending upon the number of units in the circuit. In addition, the measure would assess an equalization tax on seating capacity, from two cents to 30 cents per seat, also depending upon the size of the circuit.

Currently bills, both similar, relating to license and occupational tax on circuit theatres, are awaiting action in the Assembly and Senate. The occupational tax assessed in this measure ranges from $5 for each theatre to $100, and from one cent to 15 cents per seat, depending upon the number of houses in the circuit.

## *Wachsberger Expects French Product Drop*

French production will drop about 20 per cent in the number of films made, but budgets will be increased to about $150,000 for top pictures next season, in the opinion of Nat Wachsberger, French exhibitor who is associated with Synimex of Paris and Les Film Triomphe of Brussels, who is here from Paris. Together with Harry Brandt, he has organized Films Alliance of U. S. for distribution of foreign product in this country and South America.

Refugees from Central Europe are flocking to Paris and are providing the industry with technical and directing talent, so that the quality of the films has been improved. French audiences are reacting favorably and are patronizing native product in increasing numbers, although American films are still the overwhelming favorites. Films Alliance plans to book foreign product into Brandt houses and, in addition, set up a number of distribution offices in key cities.

## *Police in Bank Night Raid on Racine House*

RACINE, Wis., April 2.—Acting upon petitions of women's groups advocating legal action against Bank Night, Dist. Atty. Richard G. Harvey, Jr., ordered police to raid Warner's Venetian theatre here. All paraphernalia connected with the operation of Bank Night was seized and Don Nichols, manager of the house, was ordered to report to the district attorney.

### *Name Club Committee*

KANSAS CITY, April 2.—Harry Wheeler, president of the Cinema Club, has named Martin Stone chairman of the membership committee, with Ed Hartman, W. W. Sherrill and Charles Siebenthaler as members. Harry Biederman is chairman of the entertainment committee, and will be assisted by Larry Biechele and John Scott.

### *Sues 20th-Fox on Song*

Song plagiarism suit has been filed in U. S. District Court against 20th Century-Fox, Leo Feist, Inc., Mack Gordon and Harry Revel by Robert Brooker Wyatt. He claims plagiarism of "In a Bassinet," in the Gordon-Revel song, "This May Be the Night," in the 20th Century-Fox film, "My Lucky Star."

### *Picture Employes 'Adopt' Refugees*

**Employes of six film companies have "adopted" 18 Spanish orphans, according to the Foster Parents Plan for Spanish Children.**

**Employes of Warners have "adopted" eight children; United Artists, four; Columbia, three; and M-G-M, Paramount and RKO, one each. The children range in age from five to 11 years and are now in the Spanish children's colony near Biarritz, France. The "adoption" plan consists of moderate contributions toward the support of the orphans.**

## *Baird Financing Plan Approved by Holders*

LONDON, April 2.—Stockholders of Baird Television Co. at the annual meeting here, approved the financial report and the new financing plan. Gaumont British will take 35 per cent of the $2,000,000 stock issue.

Sir Harry Greer, board chairman, said the company's patents, technique, trade marks and the like represent about $6,026,000.

Isidore Ostrer was quoted by the *Financial Times* as saying that G. B. will save $2,000,000 by equipping theatres with its own apparatus. About 80 London G. B. houses are due to have double equipment for films and television. He claimed the G. B. investment in radio and television returned 12½ per cent during the current year.

## *Producers Ready to Submit Pact to SDG*

HOLLYWOOD, April 2.—Virtual completion of the proposed agreement with Screen Directors' Guild has been announced by Joseph M. Schenck, president of the A.M.P.P., after a meeting with attorneys. Schenck said the producer attorneys would complete the final draft of the agreement shortly and it would be presented to the S.D.G. negotiating committee.

### *Para. Sets 'Mandalay'*

HOLLYWOOD, April 2.—Paramount will team Bing Crosby, Dorothy Lamour and Bob Hope in "The Road to Mandalay" which Harlan Thompson will produce. Don Hartman, Frank Butler and Ken Englund are writing the script.

### *Maine Plans Sunday Tax*

AUGUSTA, Me., April 2.—A motion to levy a tax on Sunday motion picture admissions is being considered by the Maine legislature. The additional revenue is sought for old age pension funds.

### *Extend Mo. Sales Tax*

JEFFERSON CITY, Mo., April 2.—Missouri House has approved extension of the two per cent sales tax to Dec. 31, 1941, an additional two-year period. The tax brings the state about $21,000,000 a year.

### *'Ordeal' Set for Engel*

HOLLYWOOD, April 2.—Sam Engel's first production under David O. Selznick will be "Ordeal," from the Nevil Schute novel.

# See Compromise in Kibre-IATSE Row

HOLLYWOOD, April 2.—Possibility of a compromise was seen in one phase of the I.A.T.S.E. disputes here following a conference among I.A.T.S.E. International officers, Jeff Kibre, minority leader, producer representatives and Dr. Towne Nylander, regional director of the N.L.R.B.

Nylander, who was reinstated after months of suspension, issued a statement after the conference. In it he said that a compromise had been arrived at on several points and the conferences would be resumed on April 5 when an effort will be made to adjust other differences.

Kibre had filed charges against International officers.

### TWO LOSE BADGES

HOLLYWOOD, April 2.—Deputy sheriff badges of Harold V. Smith, I.A.T.S.E. International representative and that of the bodyguard of A. Brigham Rose, attorney for suspended officers of Studio Technicians Local 37 have been suspended by Sheriff Eugene Biscailuz. Badges of all persons engaged in labor controversies will be revoked, the Sheriff said. The badges imply permission to carry arms. The only other weekend development in the studio union dispute was the mass meeting sponsored by Painters Local 644 of International as a move toward harmony.

## *'Union Pacific' to Get $200,000 Promotion*

HOLLYWOOD, April 2.—Paramount's "Union Pacific" will be advertised to the tune of about $200,000, according to Robert M. Gillham, director of advertising and publicity. Supplementing Paramount's appropriation of $80,000 for newspaper and magazine space the Union Pacific Railroad will spend $50,000 on a magazine campaign. It is estimated that more than $50,000 will be spent by other national advertisers on Paramount tieups. The picture opens at Omaha on April 28.

### SET TOUR OF 40 CITIES

Tour of 40 key cities by five members of the cast of "Union Pacific" will start April 28, when the film opens simultaneously at the Paramount, Orpheum and Omaha in Omaha. The five are Evelyn Keyes, Shelia Darcy, Judith Allen, Julia Faye and Evelyn Luckey. Also expected at the Omaha premieres are Cecil B. DeMille, Barbara Stanwyck and Joel McCrea.

## *Two Film Measures Die in Rhode Island*

PROVIDENCE, April 2.—Of the three theatre bills in the current session of the Rhode Island legislature, only one was kept alive.

Two Senate bills introduced by Henry R. DiMascolo, one permitting stage plays on Sunday, the other advancing the opening hour of films on Sunday from 2 P. M. to 1 P. M., died in the Senate Judiciary Committee. Representative George Whitman's bill providing for fire alarm boxes in the four theatres in Cranston and the hiring of theatre firemen is still alive.

# New Time Policy To Be Set by NBC

NBC, effective April 30, is inaugurating a new policy which will give network optional time and station time to the following stations: KECA, Los Angeles; KEX, Portland; KFSD, San Diego; KJR, Seattle; KLO, Ogden and KTMS, Santa Barbara. All except KLO are Pacific Blue network stations. KLO is on the Blue Mountain network.

In effect the new edict means that the stations in these areas will no longer have to turn over their full time to the network, which they have had to do until now because of the time differentials. Under the new set-up they will have 5½ hours of station time. All time except the following periods will be station time: weekdays, 1 P.M. to 6 P.M., 6:30 to 7:30 P.M., 8 P.M. to 12:30 A.M. Sundays, 1 P.M. to 4 P.M., 5 to 6 P.M., and 7:30 P.M. to 12:30 A.M.

# *General Mills to Put 'Grouch Club' on Air*

General Mills will place a new show on a coast-to-coast web in "Grouch Club," over the NBC Red, Sundays from 6:30 to 7 P.M., starting April 16. The contract is for 13 weeks.

"Grouch Club," however, is not a new program. Originating in the studios of the Warner station, KFWB in Hollywood, it has been heard in California for some time. Incidentally, the "Grouch Club" broadcasts in that state are broadcast over the CBS Pacific network. Blackett-Sample-Hummert placed the order for the NBC hookup.

## *'Charm' Off for Summer*

General Electric's "Hour of Charm," which features the all-girl orchestra of Phil Spitalny, will leave the air for the summer at the expiration of its present contract, which runs until May 29. It is believed the program will be resumed in the fall.

# *Mutual Billings for March Hit $306,976*

Mutual network billings for March totaled $306,976, an increase of 31.8 per cent over the billings for the same month last year, which amounted to $232,877.

Cumulative billings for the three months of 1939 amounted to $898,659, up 15.8 per cent compared to the 1938 cumulative total for the same period, amounting to $776,021.

## *Hitler Speech Cut From Air in U. S.*

**Chancellor Adolph Hitler's Saturday talk from Wilhelmshaven, Germany, which all the American networks had been scheduled to carry, was abruptly cut off the air after he had spoken only about two minutes. Hitler started to speak at 11:30 A.M., and a few minutes later DJB, Berlin, cut the wires, silencing networks throughout the world other than possibly German and Italian webs.**

## *NBC and CBS Sign With Music Guild*

**Ending long-standing differences, the American Guild of Musical Artists and the concerts departments of CBS and NBC have signed a five-year agreement. However, it is understood that the contracts are being held pending the close of negotiations now going on in Hollywood. The contracts limit commissions and provide for establishment of joint advisory committees, and for arbitration of disputes by the American Arbitration Association.**

# $3,541,740 Profit Reported by CBS

Annual financial report of CBS for 1938, issued Saturday, shows a net profit of $3,541,740.90, or $2.07 per share, as compared with $4,297,566.82, or $2.52 per share for 1937, a decrease of $755,825.92, or 45 cents per share. Per share earnings for both years are based on the 1,708,147 shares of $2.50 par value stock outstanding at the close of 1938 or to be outstanding upon the completion of the exchange of all old $5 par value shares.

Gross income from sale of facilities and talent for the year amounted to $32,662,992.80, a decrease of $1,576,903.29 from the gross income of $34,239,896.09 for 1937.

Cash dividends of $1.25 per share on the present par value stock, amounting to $2,135,006.45 were paid during 1938 and undistriuted profits of $1,406,734.45 have been added to surplus. Fixed assets, before application of the reserve for depreciation and amortization, increased to $7,716,946.97 at Dec. 31, 1938, from $6,604,894.20 at Jan. 1. After providing for depreciation accruals of $593,066.12 net fixed assets increased during the year to $4,991,987.37 from $4,388,340.65.

Cash in hand at the close of the year amounted to $4,041,997.28 as compared with $3,636,397.04 at the close of the previous year.

Investments in capital stock of affiliated companies increased during the year to $593,894.09.

# *Block Booking Bill Hearing Is On Today*

(Continued from page 1)

trade practice code which provides for an increase in cancellations up to 20 per cent.

With their hopes for a favorable decision by the Supreme Court affirming the validity of divorce legislation dashed by the repeal of the North Dakota law, Department of Justice officials are represented as hopeful now that Congress will take a definitely affirmative stand on the abolition of block-booking, which is involved in the bulk of the complaints received from exhibitors.

S. R. Kent, president of 20th Century-Fox, arrives in Washington today for the hearing.

Leo Brecher will represent the I.T.O.A., expressing the organization's opposition to the bill. Harry Brandt, president, is unable to go to Washington because of the operators' strike.

# *Dodge City Whoops 'er Up For Warner Film Opening*

(Continued from page 1)

Clarence Nevins, the Dodge City Chamber of Commerce, Dodge City officials, the Santa Fe Railroad boys, Einfeld and the Warner home office and studio lads put on a show to be remembered. As Governor Ratner stated in his welcome address, this was a great day for Dodge City, a great day for Kansas and the southwest.

The picture was given a triple premiere Saturday night at the town's three theatres.

Additional to the "Glamour Train" which brought Hollywood stars and featured players, and special press cars from New York, Chicago and the south, the Santa Fe R. R., glorified in the film, ran excursion trains from points in Kansas, Missouri, Oklahoma and other neighboring states.

Among the Hollywood contingent were Errol Flynn, Priscilla Lane, Ann Sheridan, Alan Hale, Buck Jones and others.

The premiere followed a day of celebration which included a Wild West parade, a "Chuckwagon Luncheon" at the Lora-Locke Hotel, a rodeo and pageant of the early west, a band concert in which more than two-score musical organizations participated, and coast-to-coast broadcasts over NBC and Mutual.

Fully 25,000 persons crowded the station area and surrounding thoroughfares to meet the 200 arriving guests. As the Hollywood "Glamour Train" stopped en route, players and guests broadcast from the train.

Visiting stars made personal appearances at the three premieres. Then came a street dance on old Front St. and at midnight an "Early West" party was held aboard the "Glamour Train."

Warner executives from the coast attending the round-up included, besides Einfeld, Bob Taplinger, Carlyle Jones and from the home office, Mitchell Rawson, Jacob Wilk and Ralph Budd.

Dodge City was transformed into its former self, the town of the early 1870's. Hundreds of the citizenry grew beards especially for the celebration.

Between desert towns in bleak New Mexico the Hollywood train flagged down the Super Chief taking Jack Warner back to the studio from an interrupted vacation in Miami. Errol Flynn, Buck Jones and Hoot Gibson boarded the train, roped the Warner vice-president and dragged him to the observation car. Flashlight bulbs exploded and so did Jack, lighting up the desert with wisecracks the sound man didn't record. Back then on the Chief and off to conferences with his brother Harry went the man under whose supervision "Dodge City" was filmed.

# Field Staffs of "U" To Attend Sessions

Universal's entire field sales force will attend one or another of the company's three regional sales meetings at Cincinnati, Chicago and San Francisco this month.

In addition, Nate J. Blumberg, president; W. A. Scully, general sales manager; F. J. A. McCarthy, eastern sales manager; W. J. Heineman, western sales manager, and F. T. Murray, James Jordan, O. C. Binder, Andrew J. Sharick, Morris Alin, Joseph H. Seidelman and Louis Pollock from the home office will attend.

The following will attend the Cincinnati meeting, starting April 15:

From Boston—W. Kelly, manager; F. Dervin, I. Shiffman, J. Curran, H. Konnis, H. Martin and J. Murphy; New Haven—M. Joseph, manager and A. Titus. Philadelphia—G. Schwartz, manager; J. Engel, W. Doyle, M. Koppelman, J. Leon and R. Bernhard; New York—Al Herman, district manager and Leo Abrams, manager; Max Cohen, Nat Goldberg, H. Furst, J. Ligget, P. Winnick and B. Price; Atlanta—H. Graham, district manager; J. Ezell, manager, C. J. Jordan, R. Elliot, E. F. Cox, E. L. O'Neill, R. B. Gann; Charlotte—P. Baron, manager; R. F. Good, R. H. Mesterman, J. Greenleaf, and J. M. Bishop; Dallas—E. S. Olsmith, manager; J. H. Lietzer, L. D. Leitzer, W. R. Pittergle, C. M. Miller and E. V. Green; Memphis—A. J. Pretchard, manager; H. I. Mansfield, B. H. Jordan and L. H. Andrews.

Also from New Orleans—W. M. Richardson, manager; P. Tessier, C. McMillin and N. Lamantia; Oklahoma City—J. E. Hobbs, manager; Henry Martin, W. G. Wray, M. M. Holstein; Washington—B. B. Kreisler, manager; L. J. Young, B. Frank, S. Tabor, W. E. Davis and O. Blumenthal; Albany—Joe Engel, manager; L. J. Lesier, W. A. Ryan and A. J. Marchetti; Buffalo—J. J. Scully, manager; J. Fater, W. F. Bock and Carl Heedit; Cleveland—D. Miller, district manager; J. R. Kaufmann, manager; J. V. Frew, G. Rosenbaum, J. Krenitz, A. W. Young, W. L. Sencer and Peter Rosian; Pittsburgh—Jules Lapidus, manager; D. Barnholtz, L. Hess, S. E. Feld, W. Satori and F. Guehl. Cincinnati—P. Kreiger, manager; N. LeVene, H. Young, G. B. Gomersall, J. Marks and F. Schreiber.

### Chicago Meeting Roster

Branch Managers and salesmen attending the Chicago meeting April 18 will be:

Des Moines—J. J. Spandau, manager; H. Schiffrin, J. Smith, Hilton Frost, I. Weiner; Kansas City—Pete Dana, district manager; L. J. Miller, manager; R. M. Palmquist, L. Morrow, R. Thompson, J. Beiser and E. Selig; Omaha—Otto Siegle, manager; R. J. Olson, L. Hensler, A. Hill and J. W. Harns; St. Louis—J. E. Garrison, manager; Harry Hynes, J. H. Sarfaty, S. H. Nesbit and Harry Hines, Jr.; Detroit—E. Heiber, manager; J. Stewart, A. Fischer, B. Tighe and J. R. Susane; Indianapolis—G. C. Craddock, manager; A. Kaufman, W. B. Grant, W. Sherman; Minneapolis—H. B. Johnson, manager; A. Zacherl, J. M. Fieldman, S. Leff, D. Gutman, M. Hollaran, and V. L. Dickenson; Milwaukee—F. Mantzke, manager; E. W. Gavin, R. J. Basett, J. M. Hickey and O. Peterson; Chicago—E. T. Gomersall, district manager; M. Gottlieb, manager; R. Funk, F. Myers, E. Weinshenker, M. Brodsky, A. Kent and W. Hyland.

Branch Managers and salesmen attending the San Francisco meeting April 22 will be:

Denver—Jack Langan, manager; A. W. O'Connell, E. Warner and T. McMahon; Los Angeles—A. O'Keefe, district manager; C. J. Feldman, manager; A. Wog, L. Hoss, C. Wade and E. Cooke; Portland—R. O. Wilson, manager; F. M. Blake, J. Hommel, and J. Harvey; Salt Lake City—M. Aparton, manager; L. J. McGinley, manager; C. L. Theuerkauf, M. J. Whitman and A. M. Kallen; San Francisco—B. Rose, manager; King Trimble, Al Oztaby, C. E. Pace and C. F. McBride.

## *To Air Easter Service*

Easter Sunday services in Vatican City to be conducted by Pope Pius XII will be broadcast by NBC, CBS and Mutual on that day.

You Be The Judge...

**● Pick up any national magazine . . . any newspaper . . . look at any billboard . . . read the movie ads . . . then look at any National Screen Trailer . . . and you'll see why we say:**

> *No printed account . . . no matter how graphically written . . . can thrill its readers . . . excite its readers . . . amuse its readers . . . one-tenth as much as seeing and hearing the event itself!*

**Listen to any radio broadcast . . . then see a trailer and you'll see why we say:**

> *Nothing compares to seeing and hearing the actual event itself!*

**No form of advertising . . . no matter how smart, can give you the one hundred percent coverage you get from National Screen Trailers . . . and at the lowest cost per person reached!**

NATIONAL Screen

**. . . Prize Baby of the Industry! —**

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Indispensable to the Motion Picture Industry

ON PICTURE
DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 45. NO. 64 NEW YORK, TUESDAY, APRIL 4, 1939 TEN CENTS

# RKO Is Seen Out of Courts In Few Weeks

## *Final Plan Confirmation Given by Bondy*

After six years in the bankruptcy courts, RKO emerged yesterday with final confirmation of its plan for reorganization granted by Federal Judge William Bondy. Consummation of the plan, which involves only a few purely technical legal steps, is expected to follow in short order and the management returned to company hands within the next few weeks.

Judge Bondy wrote a brief memorandum stating that the plan was confirmed and directing attorneys to submit a detailed formal order. This can be done on two days' notice and other steps, such as a formal election of officers, filing of a new certificate of incorporation, and exchanging new securities for old as provided in the plan can be rushed through in several days if speed is desired.

### Staff, Board Approved

The decision carried with it approval of the proposed officers and directors. George J. Schaefer will be president, Floyd B. Odlum chairman of the board, Ned E. Depinet vice-president, and William Mallard secretary and treasurer. Schaefer, Depinet, Thomas P. Durell, Raymond Bill, Frederick L. Ehrman, N. Peter Rathvon, W. G. Van Schmus and Lunsford P. Yandell will be directors of the new company.

# $191,865 Fees for Loew Case Counsel

Fees totaling $191,865 were allowed to attorneys for Loew's stockholders who had brought suit against Loew's and its officers and directors by N. Y. Supreme Court Justice Louis A. Valente, in a judgment signed by him yesterday. Judgment provides for payment by Loew's to Emil K. Ellis of $64,025; Abraham L. Pomerantz, $20,000; Joseph Nemerov, $28,500; Harry Bijur, $17,079; Garey & Garey, $11,886; Milton L. Milvy, $6,000; Maurice Rose, $7,000; Menden & Mann, $7,375.

The fees will be payable out of $543,000 which Justice Valente, after trial, ordered Louis B. Mayer, Nicholas M. Schenck, J. Robert Rubin, Arthur M. Loew and the estate of Irving Thalberg to repay to Loew's for overpayment on contracts.

## *H. E. Orazio Orazi Is Italy's Film Chief*

**Rome, April 3.—H. E. Orazio Orazi is the new motion picture chief for Italy. His official title is director general of the motion picture department of the Ministry of Popular Culture. He is 32 years old and was formerly the federal secretary of the Fascist Party in Rome. He succeeds Luigi Freddi, who has been appointed vice-president of the official studios.**

# U. A. Policy Covers Pact: Silverstone

United Artists' sales policy already covers many of the points included in the industry trade practice program, Murray Silverstone, operating head of the company, said yesterday in commenting on the company's reasons for not participating in the program.

United Artists "never was and could not be" a party to the trade pact, Silverstone said, because of its unique makeup. He pointed out that with 11 producers, each a separate entity independent of the other, and with some of these making only a single picture annually, the company was not in a position to make any blanket commitment binding upon any or all of them.

Silverstone said that this was understood from the "very inception of the trade practice negotiations" and that, therefore, it could not be said that United Artists had "withdrawn" from them. He said that company

(*Continued on page 6*)

# Neely Fails to Limit Booking Bill Hearing

## Code Fails to Give Independents Relief Is View of Allied

WASHINGTON, April 3. — Allied States considers the trade practice code draft submitted by distributors as incomplete and as not affording sufficient relief for independent exhibitors, it was disclosed here today after a meeting of the executive committee yesterday. Col. H. A. Cole, president, is here to confer with Abram F. Myers, general counsel, and attend the Neely bill hearing.

No special meeting of the Allied directorate will be called to consider the draft because of failure of the distributors to cover all details of arbitration, it was stated. The directors are next scheduled to meet in conjunction with the national convention in Minneapolis in June.

In a formal statement, the executive committee pointed out Allied "has consistently adhered to the position that any program" not providing for elimination of block booking, blind selling and theatre divorcement, "will not afford independent exhibitors the relief to which they are entitled and must have."

The statement continued: "The trade practice proposals submitted by the distributors not only are incomplete . . . but do not provide relief at all commensurate with that asked by the Government in its suit."

Referring to resolutions passed by the Allied board, directing continu-

(*Continued on page 6*)

## *London Says "Dictators" Facing British Government Opposition*

**London, April 3.—It is an accepted fact in informed circles here that the proposed picture by Charles Chaplin, entitled "The Dictators" and devoted to satirical treatment of the heads of dictator nations, will not be produced.**

**The Government has given the matter its official attention, apparently proceeding on the policy of discouraging the theatrical use of material offensive to the heads of foreign nations.**

**Last week a minor incident in the same category cropped up when official disapproval was expressed over a musical review song number which lampooned Adolph Hitler. The song was promptly withdrawn.**

**It is assumed that if Chaplin's "The Dictators" is known to be headed for official opposition in the United Kingdom, thus erasing a great part of the potential market, it will not be produced.**

## *Pettijohn Tells Senators Bill Would Destroy Production Code*

WASHINGTON, April 3.—Expressing confidence he could secure passage of his anti-block booking bill by the Senate without any further testimony from proponents, Senator Neely today unsucessfully sought to limit hearings before a Senate Interstate Commerce subcommittee to presentation of "new" arguments by opponents.

With C. C. Pettijohn, general counsel of the M. P. P. D. A., pleading for a full hearing, with which, he said, "we can beat the bill," Senator Smith, chairman, rejected Neely's contention that the whole story is told in the record of previous hearings on the subject and expressed his desire to have block and blind booking fully developed before passing on the measure. The hearing will resume tomorrow.

### Highlights of Hearing

Highlight of the initial hearing was Pettijohn's vigorous plea for rejection of the measure which, he said, not only would destroy the Production Code but would place the American Industry at the mercy of foreign governments in countries which are seeking to develop their own films to

(*Continued on page 6*)

# Strike Parley Held With State Board

First meeting looking to a settlement of the I. A. T. S. E.-Local 306 strike was held yesterday at the State Mediation Board with representatives of distribution companies and metropolitan circuits attending.

Jules J. Freund of the state board reported following the meeting that progress had been made. He described the aim of the conference as primarily to develop plans for preventing the spread of the strike to theatres but said that the ultimate aim, naturally, was settlement of the existing strike. Other meetings will be held this week but none have been definitely set yet.

On the Federal end, Berkley W. Henderson, head of the anti-trust division of the Department of Justice in New York, arrived from Washington yesterday and took over the investigation of the strike from Joseph E. Brill and William McGovern of the Federal District Attorney's office.

(*Continued on page 6*)

# Personal ▸ ◂ Purely

W. G. VAN SCHMUS and George J. Schaefer were presented "megillas" at the Yeshiva College dinner at the Astor Sunday night in appreciation of their work on the committee.

•

William A. Clark has been appointed manager of RKO Keith's in Dayton, succeeding Millard Blaettner, resigned. Duane Hatfield has quit the RKO Colonial in Dayton.

•

S. Charles Einfeld arrives today from the "Dodge City" premiere at Dodge City, Kan. With him are Jake Wilk, Mitchell Rawson, Ralph Budd and John Harkins.

•

Wayne C. Ball has been promoted to branch manager for Columbia in Los Angeles, from Denver. Bob Hill of Salt Lake is taking over the Denver territory.

•

Barend Broekman, president of the newly organized Vedis Films, will sail Friday on the *Queen Mary* for France where he will look over the French market.

•

J. Real Neth, Columbus circuit head, has left Mt. Carmel Hospital for home. He had suffered a broken leg and pneumonia.

•

George Becker has quit as Columbia salesman in Cleveland and has been replaced by Oscar Bloom. Jack Share has been added to the staff.

•

Holbrook C. Bissell, former Columbia Cleveland branch manager, plans to go into the advertising business in the east.

•

Arthur Israel, Jr. is the father of a 7-pound boy, John Wallace, born Saturday to Mrs. Israel at Woman's Hospital.

•

W. F. Rodgers, M-G-M general sales manager, is due tomorrow or Thursday from Washington.

•

Joseph Kaufman has arrived in Cleveland to take over management of the Universal exchange.

•

Lee Moffitt, Owensboro, Ky., exhibitor and head of the M.P.T.O. of Kentucky, is in Florida.

•

Howard Dietz, M-G-M advertising and publicity director, returns this weekend from Bermuda.

•

Mr. and Mrs. A. H. Blank of Des Moines return home today from a stay at Hot Springs, Ark.

•

Leo Robin and Ralph Rainger are en route to the Paramount studio from New York.

•

Eddie Aaron, assistant to W. F. Rodgers at M-G-M, is vacationing in Florida.

•

Matthew J. Fox and John Joseph plan to leave Friday for the Universal studio.

# Mid-West Preview

## "Dodge City"

*(Warners)*

Dodge City, Kan., April 3.—In the teeth of such a turnout as few previews ever precipitated, in the scene of the story and while the world listened in by radio, by newspaper report and through the lenses of more cameras than ever were trained upon a similar event, Warners' production in color of a proportionately tremendous original screenplay by Robert Buckner turned back years of calendar to the days when this place was really tough. Top man among the tough hombres who make the screen a free-for-all during much of this unreeling is Errol Flynn, with such rugged citizens as Alan Hale, Bruce Cabot, John Litel, Victor Jory and a standard supply of Warner fighting stock adding to the fisticuffs. Meanwhile, Olivia de Havilland gives the new generation a smooth idea of the kind of girls their grandmothers may have been. It's a sizeable picture in every sense of the phrase.

If the place the picture shows is not indeed the Old West of song and story, it will do very nicely until somebody cooks up a better simulation of it, which will require quite some cooking. This is a Robert Lord production, and he is rather famous for well done jobs. It is also a manifestation of Michael Curtiz' directorial ability, and that goes back through half a hundred films, to the beginnings of the modern cinema. He is at his rich, free handed best in this broad canvas.

The Dodge City of the picture is the place where the railroad stopped, for a while, and the place to which the cattle were brought up from Texas, a mad sort of frontier area where a six-shooter was no mere figure of speech. This is deep in the texture of American history, this burly, brawling metropolis of another day, and if any child of the plains, or the cities, has been unmindful of it these last few softened years Warners have refurbished their memory. So, in days and weeks to come, will the newspapers and the magazines of the nation, all of whom were represented on the preview setting by writers, photographers and commentators. The fans will have been put on notice about this one, but definitely, by the time these words appear in print.

Seldom has a studio gone so far toward selling its product to the public. The trains that converged on Dodge City, from Hollywood, from New York, Chicago and other key cities, spread the word about this picture athwart the consciousness of the population. It was at once a notification and a challenge. It was a challenge to Warners to make good. The people in Dodge City may or may not be experts in such matters as the subject which bears the municipal name, but they probably are. If they are not, nobody else is. They loved this picture, jammed three theatres all night long to look at it. That would seem to be about all a showman booking the film would need to know about it.

Running time, 105 minutes. "G." Roscoe Williams

---

**"G" denotes general classification.*

## Legion Approves 9 Of 10 New Pictures

National Legion of Decency approved nine of 10 films reviewed and classified this week. Four were found unobjectionable for general patronage, five for adults and one was found objectionable in part. The films and their classifications follow.

Class A-1, Unobjectionable for General Patronage—"The Challenge," "My Wife's Relatives," "Navy Secrets" and "Texan Wildcats." Class A-2, Unobjectionable for Adults—"Forged Passports," "Society Lawyer," "Strange Faces," "They Made Her a Spy" and "Undercover Agent." Class B, Objectionable in Part—"Bizarre, Bizarre."

## A. F. A. Names Slate

Nominating committee of the American Federation of Actors has named eight members to be presented at the annual elections to fill the eight vacancies in the council. Rudy Vallee, Sally Rand, Jed Dooley and Walter J. Diggs were renominated and Joe Smith, Avis Andrews, Lou Taylor and Adye Alyn were also named. Elections will be May 9.

## M-G-M Announces 6 Contest Winners

Howard Dietz, M-G-G director of advertising and publicity, yesterday announced the six winners in the company's "Marie Antoinette" contest. The prize is a trip to France. The theatre manager winners were Frank Weatherford, Worth Theatre, Fort Worth, Tex.; Ray Bell, Loew's, Washington, D. C. Theatre patrons who won were Mary M. Canak, Milwaukee; Helen King, Denver; Effie Burkhalter, Amarillo, Tex., and Mrs. Helen Szold, Chicago. The winners will sail from New York on the *Normandie* on May 3.

## Finish Yiddish Picture

Shooting on "My Son" an all-Yiddish feature with English titles, has been completed at Palisades, N. J., under the direction of Joe Seiden, with J. Burgi Contner at the camera. Pictures will be released by Cinema Service Corp.

## Greenblatt Rogers' Aide

Budd Rogers, vice-president and general manager of Alliance Films Corp., has appointed Arthur Greenblatt as his assistant.

## 'Four Feathers'

**London, April 3.—Alexander Korda's "Four Feathers," given a "sneak" preview at Wembley tonight, appears an immense success. Its magnificent color blends splendidly with spectacular Egyptian sequences and stirring personal adventure drama. A thrilling spectacle and excellent cast.**

**Box-office records are forecast for this production triumph.**

**Flanagan**

## O'Donnell to Speak At Republic's Meet

Houston, April 3.—R. J. O'Donnell of Dallas, vice-president and general manager of the Interstate Circuit, will be a guest speaker at Republic's southern regional sales meeting which opens here Friday for two days. Other guest speakers are scheduled.

There will be morning and afternoon sessions on Friday and a morning session Saturday. The meeting, held at the Rice Hotel, will be the first of four regionals. The company's new program of 26 features, 25 westerns and four serials will be discussed. This is a reduction of four features from the current season.

With more than 40 attending, the Houston meeting will be presided over by C. E. Hilgers, southern district sales manager.

The complete program follows: "Republic—Its Future," H. J. Yates, president, Consolidated Film Industries; "Production," M. J. Siegel, president, Republic Productions; "1938-'40 Program," William Saal, special representative; "Selling the Program," James R. Grainger, president, Republic Pictures; "Advertising and Publicity," Al Adams, director of advertising and publicity; "Republic—What It Means to Me," discussion by franchise holders, including Arthur Bromberg, Atlanta; William G. Underwood and Claude Ezell, Dallas; Sol Davis and Morris Loewenstein, Oklahoma City, and B. F. Busby, Little Rock; addresses by guest speakers; open forum; closing address by Yates.

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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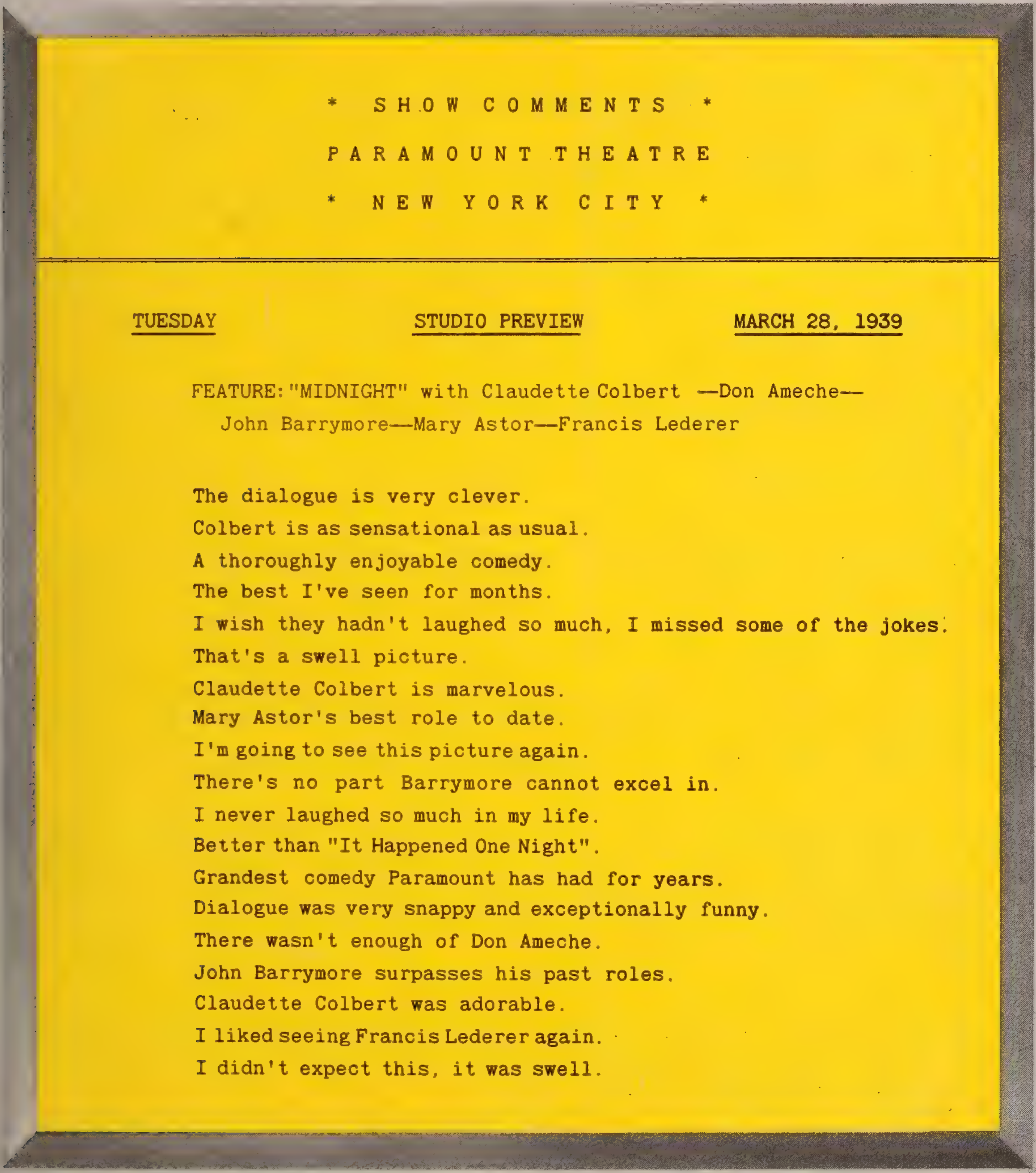
# Midnight comments on "MIDNIGHT"



* SHOW COMMENTS *

PARAMOUNT THEATRE

* NEW YORK CITY *

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TUESDAY STUDIO PREVIEW MARCH 28, 1939

FEATURE: "MIDNIGHT" with Claudette Colbert —Don Ameche— John Barrymore—Mary Astor—Francis Lederer

The dialogue is very clever.
Colbert is as sensational as usual.
A thoroughly enjoyable comedy.
The best I've seen for months.
I wish they hadn't laughed so much, I missed some of the jokes.
That's a swell picture.
Claudette Colbert is marvelous.
Mary Astor's best role to date.
I'm going to see this picture again.
There's no part Barrymore cannot excel in.
I never laughed so much in my life.
Better than "It Happened One Night".
Grandest comedy Paramount has had for years.
Dialogue was very snappy and exceptionally funny.
There wasn't enough of Don Ameche.
John Barrymore surpasses his past roles.
Claudette Colbert was adorable.
I liked seeing Francis Lederer again.
I didn't expect this, it was swell.

**Paramount's "MIDNIGHT" is getting more than rave comments. It's doing rave business . . . 134% in Miami; 110% in Boston; 121% in Worcester; 122% in Hartford; 140% in New Haven.**

# Happy Easter

**"Tops in musical film entertainment . . . one of their best . . . gay, romantic and dramatic by turns."**
*—Kate Cameron, N. Y. Daily News*

**"Has tremendous charm and subtly invades the private life of any audience."**
*—Bland Johaneson, N. Y. Daily Mirror*

**"Entertainment values sure-fire . . . rich in dancing spectacle and humor."**
*—Howard Barnes, N. Y. Herald-Tribune*

**"A beautifully told story, with sincere and vigorous performances."**
*—Frank S. Nugent, N. Y. Times*

**"One of the best . . . thoroughly entertaining . . . gay, romantic and tuneful."**
*—Rose Pelswick, N. Y. Journal and American*

**"Happy entertainment . . . a charming bit of romance told against the backgrounds and to the popular music of 25 years ago."**
*—Eileen Creelman, N. Y. Sun*

**"Tender screen biography . . . enormously absorbing . . . charming and delightful love story."**
*—William Boehnel, N. Y. World-Telegram*

**"Delightful and charming entertainment."**
*—Archer Winsten, N. Y. Post*

*** . . . and dozens of other first**

# to you*....

# Music Hall!

**"BOX-OFFICE NATURAL"** *-Film Daily*

**"TRIPLE-PLATED BOX-OFFICE"** *-Motion Picture Daily*

**"SURE-FIRE FOR STRONG BOX-OFFICE"** *-Hollywood Reporter*

**"SHOULD REPAY HANDSOMELY"** *-Hollywood Variety*

**"TOP SHOW FOR TOP MONEY"** *-Jay Emanuel Publications*

## THE STORY OF VERNON AND IRENE CASTLE

STARRING
FRED ASTAIRE
GINGER ROGERS

*with*

**EDNA MAY OLIVER**
**WALTER BRENNAN**
LEW FIELDS • JANET BEECHER
• ETIENNE GIRARDOT •

PANDRO S. BERMAN in charge of Production
Directed by H. C. Potter Produced by George Haight
Screen Play by Richard Sherman
Adaptation by Oscar Hammerstein II and Dorothy Yost

R K O
RADIO
PICTURES

# runs throughout the nation!

# Silverstone Says UA Policy Covers Pact

(Continued from page 1)

representatives participated in only a few trade practice meetings and then only as "spectators" and at the invitation of the distributors' negotiating committee. He emphasized that, despite its non-participation, United Artists would be a "constructive force" in helping to achieve the relationship between distributor and exhibitor sought through the industry code.

Silverstone enumerated the company's 11 producers thus—Charles Chaplin, Douglas Fairbanks, Alexander Korda, David O. Selznick, Walter Wanger, Hal Roach, Edward Small, David Loew, Samuel Goldwyn, Ernst Lubitsch and Sol Lesser. He said that Lesser would produce one important picture a year under his contract with the company. These will be in addition to the Lubitsch pictures, first of which is not expected until 1940. Lubitsch will contribute about three pictures every two years, Silverstone said.

### At Least Two from Selznick

Loew, financing his own productions, will make one or two big picturess annually, working at Selznick-International studio. Selznick, whom the U. A. head described as a "genius with his best work to come," will contribute a minimum of two pictures to the new season schedule. Chaplin is actively engaged on his picture, "The Dictators," which will be released during the new season, Silverstone said.

Goldwyn's future activities depend on the outcome of his suit against the company. His contract has until 1945 to run but does not obligate him to produce anything. However, what he does produce must be distributed through United Artists unless the courts set aside the contract.

United Artists "will most seriously and vigorously resist any attempt on the part of Mr. Goldwyn to arrange for the distribution of his future pictures, in violation of his contract," Charles Schwartz, attorney for the company, stated.

## To Take Depositions

Stipulation has been filed in the U. S. District Court providing for depositions in Los Angeles on behalf of Paramount, defendant in a suit by Zelma B. Tilden for alleged plagiarism of her play, "Captain What-the-Devil" in the film "The Buccaneer."

## Movietone to Cover Europe by Airmail

**Movietone News plans 36-hour coverage on European events when trans-Atlantic air service is started by Pan-American Airways this summer. The service is planned both ways with American reels being sent to the Continent by plane. Delivery costs are expected to rise by 750 per cent. With the new air-lane opened, plane service will be available to the reels for any part of the globe.**

# Strike Parley Is Held With State Mediators

(Continued from page 1)

Matthew Levy, attorney for Local 306, was questioned yesterday. Henderson is expected to decide today whether any further questioning of individuals is necessary and probably whether the Government has the right to intervene in the strike.

Meanwhile, film deliveries from exchanges to theatres continue uninterrupted despite the picketing of exchanges. The union's informal assurance of last week that it would do nothing "for the time being" to spread the strike to theatres or interfere with their operation is expected to hold good while settlement talks are in progress.

# Pact Fails to Give Relief, Allied Holds

(Continued from page 1)

ance of efforts to obtain legislation, the executive committee announced it had voted unanimously to appear before the Congressional committees in support of the Neely bill.

### Iowa-Nebraska to Vote

ELDORA, Ia., April 3.—Leo F. Wolcott, president, I. T. O. of Iowa and Nebraska, plans to present the trade practice code draft to members for a a vote at a meeting in Des Moines, probably April 17 or 18.

Wolcott said: "These proposals apparently bear close relationship to the former proposals which were rejected as inadequate at the time."

## Set Club Stag Party

CLEVELAND, April 3.—Variety Post No. 313, Howard Roth, commander, will hold its stag party April 14.

Ask your Photophone representative about the sensational
New RCA PHOTOPHONE
MAGIC VOICE of the SCREEN
with Rotary Stabilizer PLUS SHOCK PROOF DRIVE!
Designed for any theatre—regardless of size
PHOTOPHONE
RCA
HIGH FIDELITY SOUND

# Neely Fails to Limit Booking Bill Hearing

(Continued from page 1)

supersede ours, in the interest of trade. He had reference, particularly, to England.

None of those most active in writing the Neely bill has ever made or sold a picture, he declared, but for the past 11 years there has been legislation constantly before Congress to regulate the industry, which has "taken it on the chin." Where hearings were granted on block booking, he asserted, the measure has been beaten. Last year, when the Senate passed the bill, he pointed out, no hearing was granted although one had been requested.

The Legion of Decency, Pettijohn declared, has been an important factor in improving pictures. Last year, only six films were condemned, three of them foreign and none of the other three made by regular companies, and all distributed singly "as under the Neely Bill."

An argument between Neely and Smith as to the conduct of the hearings was halted when the latter declared he wanted to know whether the bill "is going to help the motion picture industry and whether or not it will be a benefit to the public."

### Gained in Latin America

Pettijohn disclosed that American pictures have gained almost if not fully as much in Latin America as they have lost in Germany and Italy. Senator Barkley commented he had been told certain foreign interests are furnishing free films to South America in an effort to propagandize. "That is true," Pettijohn said, "and we are going to meet it."

However, he added, "If the Neely bill is passed we're licked abroad."

Henry P. Atkinson, president of the Massachusetts Civic League and representing the Boston chapter of the Motion Picture Research Council and 29 national public groups, asserted the whole aim of the bill is to permit local communities to select their pictures, but when asked by Smith how that would be done, expressed the "belief" that local theatres should be able to establish their own programs.

### Voices Guild Opposition

Opposition of the Screen Actors' Guild to passage of the bill was submitted by Robert Montgomery, former president of the association, who asserted the proposed law would cut production schedules in half and directly affect the employment of 282,000 persons in 276 crafts.

The bill gives the industry 12 months to readjust its structure, he pointed out, asserting that it couldn't do it in 12 years. "The sponsors of this bill ask Congress to destroy the entire business structure of one of the largest industries of the United States without offering any alternative plan except one which has failed every time it has been tried," he commented.

Among those who will speak for the distributors at the hearing are S. R. Kent, president, 20th Century-Fox; William F. Rodgers, M-G-M general sales manager, and Abe Montague, Columbia sales head. All are members of the distributors' trade practice committee. They are in Washington.

Leo Brecher, a director of the I. T. O. A., leaves for Washington today to present the organization's opposition to the bill. The I. T. O. A. is in favor of abolishing "blind" buying, however.

### Cleveland Unit Approves

CLEVELAND, April 3.—Cleveland Motion Picture Exhibitors' Association has passed a resolution endorsing the Neely block booking bill and sent a copy to Abram F. Myers, general counsel of national Allied, and to each member of the subcommittee of the Senate Interstate Commerce Committee which is holding hearings on the bill.

## Science to Rescue

**Charlotte, N. C., April 3.—Neil McGill, manager of the Imperial, was freed on a charge of operating on Sunday when his program ran until 12:15 A. M. on Saturday night, but it took the local meteorologist to clear him.**

**The expert proved scientifically that Sunday actually does not begin in Charlotte until 12:23:24 A. M. (E. S.T.), and that since McGill ended his show at 12:15, he did not violate the law.**

# Koerner Is Honored At Party in Boston

BOSTON, April 3.—Charles W. Koerner, New England divisional manager for RKO Theatres, was given a farewell party at the Cocoanut Grove here last night. About 400 attended. Next Friday Koerner goes to the west coast to become RKO divisional head there. Harry MacDonald of Providence succeeds him here.

At the head guest table were John J. O'Connor, general manager of RKO Theatres; Bill Howard, RKO vaudeville booker, and Ben Domingo, RKO Theatres city manager. Emmett Gavin was toastmaster.

## Pick 'Golden Boy'

HOLLYWOOD, April 3.—William Holden, 21-year-old "unknown," was signed by Columbia yesterday for the title role opposite Barbara Stanwyck in "Golden Boy." Rouben Mamoulian, director of "Golden Boy," discovered him while looking over some Paramount tests.

## Two Firms Chartered

ALBANY, April 3.—Concord Films, Inc., has been chartered to operate theatres, headed by Martin J. Lewis, H. S. Neuberger and Hans Rosenwald. Hasting Amusement Co., Inc., also has been chartered, by Frederick A. Lind, Shirley Robins and Samuel A. Feir.

## Halifax Bill Advanced

HALIFAX, N. S., April 3.—Patterson bill providing for licensing and regulating film exchanges in Nova Scotia has passed second reading in the provincial legislature. It would empower the provincial censors to investigate distribution.

## Wingham to Frisco

SEATTLE, April 3.—L. C. Wingham, for the last 10 years manager of the M-G-M exchange here, has been named manager of the San Francisco branch.

# Radio Personals

PAUL J. SENFT, formerly of B. B. D. & O. has joined the sales organization of WQXR . . . Bob Stanley is conducting the Mutual symphony orchestra while Alfred Wallenstein is on vacation . . . Josephine Houston has joined the Mutual singing staff . . . Ogden Nash, the author, under contract to WOR for the impending "Author, Author" show, has been released from his contract so he can appear on a network commercial.

## NBC March Billings At Record $4,170,852

An all-time high in monthly time sale billings was established at NBC for March, $4,170,852, the Red network accounting for $3,132,832, and the Blue, $1,038,020. The billings for March of 1938 amounted to $3,806,831, a gain of 9.6 per cent.

NBC billings for the first quarter of 1939 amount to $11,953,448, a rise of 7.7 per cent compared to the total for the same quarter last year, amounting to $11,098,400.

CBS billings for March of this year totaled $2,925,684, off 3.6 per cent compared to March, 1938, total of $3,034,317. However, the March, 1938, total was the highest figure in the history of the network, and this year's figure is the second largest of any month in the network's existence. Year's first quarter for CBS is $8,141,283, off 5.3 per cent compared to last year's first quarter of $8,594,593.

## Sign Kaltenborn for New Series on CBS

H. V. Kaltenborn, veteran CBS news analyst and commentator, has been signed by the Pure Oil Co. for a new twice weekly series over CBS, to begin April 30. The schedule will be from 10:30 to 10:45 P.M. on Sundays and Tuesdays, over a 42-station hookup. Leo B. Burnett & Co. is the agency.

Contracts for two regional network shows on CBS also have been closed. "Just Dogs," a new series, will be heard in Boston, Hartford and Worcester starting April 9 over stations WEEL, WDRC and WORC. Old Trusty Dog Food will sponsor, through a contract by H. B. Humphrey agency. The Stainer Corp. will sponsor a spelling bee series over KNX, KFSO and KARM of the CBS Pacific network, starting May 6.

## Farnsworth Stock Out

Farnsworth Television and Radio Corp. has placed on the market 600,000 shares of common, at $6 per share. Portion of the cash proceeds from the sale will be used for acquiring the properties of Capehart, Inc., and General Household Utilities Corp. to be used for the manufacture of television and radio apparatus.

## Neville Miller to Speak

WASHINGTON, April 3.—Neville Miller, N.A.B. president, will speak on "Government Regulation of Radio Broadcasting" Wednesday at a luncheon of the Washington Trade Association Executives.

## 1938 Ontario Theatre Revenue Is $204,639

TORONTO, April 3.—Gross revenue of the Ontario Government from the film theatres of the province for the fiscal year ending March 31, 1939, was $204,639, it was reported by Premier M. F. Hepburn. This amount was made up of receipts from examination fees of the censor board and licenses for the operation of theatres, exchanges and itinerant shows.

Total expenditures for the theatre inspection branch and the censor board for the year to March 31 were $34,409, so that the net revenue to the province was approximately $170,000.

In his budget for the new fiscal year Premier Hepburn listed $185,000 as the expected revenue from this source, while the forecast of expenditure by the theatre and censorship units of the Treasury Department is given as $38,675 to March 31, 1940, an increase of slightly more than $4,000.

## Albany Allied Hears Complaint on Prints

ALBANY, April 3.—Local unit of New York Allied, at a meeting here today, discussed the shortage of prints. While the grievance committee submitted no specific report, a general complaint on the number of prints available at exchanges was taken up from the standpoint of inability of subsequent runs to obtain prints on time.

The meeting heard E. Thornton Kelly, state executive secretary, and Mitchell Conery, regional vice-president, on the recent Syracuse meeting where Max A. Cohen, state president, urged action on clearance.

## Technicolor's Profit Is $1,334,243 in 1938

Technicolor, Inc., and its subsidiary Technicolor Motion Picture Corp. showed a net profit of $1,334,243.67 for 1938. This corresponds with a 1937 profit of $630,718.62.

Shipments of Technicolor prints in 1938 were 66,720,237 feet contrasting with 40,561,318 feet in 1937. Shipments for the first two months of 1939 total 13,500,000 feet compared with 12,000 feet for the same 1938 period. Contracted bookings for 1939 for feature productions, according to the annual report, are in excess of those for 1938.

## Irish Unit Is Formed

LONDON, April 3.—Provincial exhibitors in the Irish Free State have formed a new protective association with the title of Provincial Exhibitors' Association. The decision to form such a body comes as sequel to the Free State Government's demand that Irish theatre owners outside the Dublin area should present their views on quota legislation to Dublin.

## 33 Ohio Censor Cuts

COLUMBUS, April 3.—Ohio censors reviewed a total of 733 reels for the five-week period in March, from which 33 eliminations were ordered. The March figures compare with 594 reels reviewed and 16 eliminations ordered in February, while in March, 1938, there were 676 reels and 33 eliminations.

## Ontario Exhibitors Oppose Giveaways

**Toronto, April 3.—With indications here of the possible return of giveaways, the Independent Theatres Association of Ontario has determined to advise all film exchanges of the organization's disapproval of the trend.**

**At a meeting, it was brought out that certain exhibitors are offering premiums without the socalled service charge or any other added fee.**

## Oklahoma Ascap Bill Passage Is Favored

OKLAHOMA CITY, April 3.—Oklahoma House Judiciary Committee has recommended passage of the anti-Ascap measure introduced in the legislature last month.

Oklahoma exhibitors regard the measure as primarily a "broadcasters' bill." They have not taken sides on it in the belief that any method of music licensing other than the present would involve increased costs for all users.

## Seat Control Plan Spreads in England

LONDON, April 3.—Swansea, port and industrial center in the South Wales mining area, has followed the lead of London and set up municipal seat control.

Amended rules have been laid down by the Watch Committee—body which governs local theatre licenses—and these follow the London County Council rules closely. The committee also has brought in new regulations regarding the admittance of children to films classed as "H" ("Horrific").

## Selznick Signs Howard

HOLLYWOOD, April 3.—Leslie Howard has signed a contract with Selznick International to star in "Intermezzo" and serve as associate producer. Production will start in May.

## Clearance Cut 14 and 13 Days in Cincinnati

CINCINNATI, April 3.—First and second run clearance has been reduced 14 and 13 days, respectively, as a result of conferences here between H. M. Richey, director of exhibitor relations for RKO, and exhibitors.

First run clearance has been cut from 44 to 30 days over second runs, and second run clearance over third has been reduced from 57 to 44 days. Subsequents are moved up accordingly. Under the new setup, clearances will be based on the sixth Sunday after first run for 30-cent houses and the seventh Sunday after first run for 25-cent houses, with others in proportion.

Richey's visit followed a three-day investigation by an attorney for the Department of Justice. Local independents filed a complaint with the Department last fall. It is understood the complaint will be withdrawn.

RKO controls the downtown first runs, with one first and one second run suburban. The clearance schedule was set in conferences held by Richey, Ike Libson, managing director, and Arthur M. Frudenthal, division manager, representing RKO Midwest, and Harold Bernstein, president; F. Wesley Huss, Jr., and Charles Mervis, for the Greater Cincinnati Independent Exhibitors Association.

## Seek Reel Censor Exemption in Ohio

COLUMBUS, April 3.—I. T. O. of Ohio is scheduled on Wednesday to present an amendment to the state censorship laws providing for exemption of newsreels from censorship.

Amendment will be proposed to the House Education Committee when it considers amendments to the state censorship law. Newsreels have been censorable in Ohio since 1935.

## Tomasino Held Up

NEW HAVEN, April 3.—Michael Tomasino, operator of the Whiteway here, was held up in his garage last night and robbed of $400 in receipts, a gold watch and his automobile.

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### OPENING FOR THE BIG HOLIDAY PLAYING TIME AT—

Four Star, **LOS ANGELES**
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Globe, **NEW YORK CITY**
long run engagement starting April 8th

Balaban & Katz Garrick, **CHICAGO**
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Loew's Plaza, **WORCESTER**
starting April 8th

Loew's Stillman, **CLEVELAND**
starting April 7th

Warner's Roger Sherman, **NEW HAVEN**
starting April 12th

## CORINNE LUCHAIRE in

# PRISON *without* BARS

### HARTFORD CALLING...

Dan Finn of Warner Bros. on the wire to say that an hour after "Prison Without Bars" opened at the Strand, the theatre was filled, 200 were standing, lobby was jammed and sidewalk line measured a full block. (Hats off to John Hesse for his great showmanship in starting the Strand campaign 8 DAYS IN ADVANCE)

[New season's highs established at the Great Lakes, Buffalo; Avon, Utica; Regent, Elmira; Ritz, Albany and RKO Albee, Providence]

*with*

**EDNA BEST · BARRY BARNES**

**MARY MORRIS • LORRAINE CLEWES • SALLY WISHER**

*Directed by* **BRIAN DESMOND HURST**

*Associate Producer* **IRVING ASHER**

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# Government Strike Action Is Due Today

## *Arnold Expected to Act On Probe Report*

Federal investigation of the I. A. T. S. E.-Local 306 strike was completed yesterday and a report on the results of the study forwarded to Thurman Arnold, special assistant to the Attorney General, by Berkley W. Henderson, head of the anti-trust division here.

Actual course to be taken by the Federal office here, however, will be determined by instructions which are expected from Arnold some time today. It is understood that Henderson's report made no recommendations and that Arnold will arrive at his own conclusions upon reading the report.

No meetings were held at the State Mediation board here yesterday but there is a possibility that either a joint meeting of union, circuit and distributor representatives, or separate meetings of each, will be held today. Jules J. Freund, mediator, is still seeking a settlement of the dispute and said yesterday that he is "very hopeful that an early adjustment will be reached."

Meanwhile, film deliveries are continuing on a normal basis despite the picketing of exchanges and the defection of organized exchange employes. No theatre in the metropolitan area has been inconvenienced for lack of film since the start of the strike nine days ago.

# G.B. Plans to Put Television on B'way

Gaumont British is negotiating to install television in three Broadway houses around May 15, according to Arthur A. Lee, vice-president. The company has no desire to put up a telecasting station, but plans to make use of existing facilities of NBC, CBS and others who are preparing to broadcast television. The equipment will be sold to theatres.

Isidore Ostrer, chairman of G. B., is sending over apparatus for theatre installations, and I. C. Javal, commercial director of Baird Television, G.B. subsidiary, and a staff of engineers are due early in May. Javal surveyed the field here recently.

It is planned to have screens 12 feet by 15 feet and to handle the broadcasts as an added attraction to the regular programs.

## *No Exhibitor Quota Changes Next Year*

**London, April 4. — Oliver Stanley, president of the British Board of Trade, declared in the House of Commons today that the Films Council recommended no alteration in the exhibitors' quota for the year beginning next October.**

**The council will report later to the Board of Trade on the distributor quota schedules for the following year and subsequently. The council met 15 times during the first year of the new Films Act, Stanley said.**

# Government Gets Data from Upstate Independents in Suit

Depositions were taken from about 75 independent exhibitors in upstate New York by the Department of Justice and will be used together with others in preparing the Government's pending anti-trust suit.

This was disclosed by Seymour Kreiger who has been making a tour upstate with E. T. Kelly, executive secretary of New York Allied. Conferences were held at meetings called by Kelly at Albany, Syracuse, Buffalo and Rochester.

Kelly, who returned to New York yesterday, said that much information had been obtained regarding the practices of the eight major companies.

Kreiger is continuing his investigation in the Boston area in cooperation with the Allied unit there.

New York Allied will meet next Monday in Buffalo, and on April 20 in Syracuse.

In conjunction with the unit's annual convention, May 23–25, at the Hotel Astor, a "World's Fair Exposition" is planned, along with other events.

## *Korda Names Boxall As General Manager*

London, April 4.—Harold Boxall was signed by Alexander Korda today as general manager of his new producing company, Alexander Korda Productions, Ltd. Boxall has occupied a similar post with M-G-M here. He will take over his new post as soon as he completes work on "Good-Bye, Mr. Chips" for the latter company.

# PETTIJOHN OFFERS SELECTIVITY PLAN

## United Artists Will Hold Convention On Coast May 8-10

United Artists will hold its 20th annual sales convention in Hollywood, May 8, 9 and 10, Murray Silverstone, operating head of the company, said yesterday. The meeting will be a national one with the entire field sales force and home office executive personnel attending.

Details of United Artists' new season schedule of approximately 30 features will be presented to the organization by Silverstone at the convention. Plans for the program are "about 98 per cent complete now," Silverstone said, and comprises 27 pictures exclusive of any to be delivered by Ernst Lubitsch, Sol Lesser and David Loew for 1939-'40 release. These three producers were signed by Silverstone recently. Lubitsch does not join the company until 1940 and may not contribute anything to the new season program. Lesser and Loew may contribute one picture each.

Practically the entire United Artists organization will arrive in Los Angeles by Sunday, May 7, when they will be guests at a reception to be given in their honor by Mary Pickford.

United Artists announced yester-

*(Continued on page 4)*

## *Cash Assets of Fox Are Set at $119,415*

Milton C. Weisman yesterday filed a 734-page final accounting as trustee of Fox Theatres Corp., in which assets were listed, consisting of $119,415 in cash, $37,614 in closed banks, stock in five wholly-owned subsidiary companies, a 50 per cent interest in Fanchon & Marco Corp., a $4,000,000 bond and mortgage on Philadelphia property, and miscellaneous fixtures and equipment.

The report stated that all assets of the company, with the exception of $7,500 which Weisman retained to cover future expenses, were transferred to Weisman and Kenneth P. Steinreich, appointed on Feb. 6, 1939, as trustees of a plan for final liquidation of the company. The report stated that $8,100,350 in claims, of a total of $38,400,000 filed, were allowed. A claim of William Fox of $7,186,627 is still in dispute. Fox Theatres Corp. went into receivership on June 22, 1932.

## *Neely Proponents, Led By Myers, Flatly Reject Proposal*

Washington, April 4.—Offer by C. C. Pettijohn, counsel for the M. P. P. D. A., to "lay on the table" a trade practice agreement under which exhibitors would be given the right to select or reject films was flatly rejected today by proponents of the Neely anti-block booking bill appearing before the Senate Interstate Commerce subcommittee.

This was the second day of the hearings on the Neely bill. The hearings are expected to run most of the week.

Pettijohn's offer was made after Senator White of Maine had questioned Henry B. Atkinson, representing the National Motion Picture Research Council and other groups, as to how enactment of the bill would permit freedom of community selection.

"If these people will put on the table the names of the exhibitors they represent, I think we can get through a trade practice agreement right now in Washington," Pettijohn said. He declared, on behalf of the distributors, that if "any responsible group" would indicate what kind of films they wanted their local exhibitor to buy, those pictures would be offered at fair prices, and those not wanted would be withdrawn.

### Myers Rejects Proposal

Asked by Senator Neely, acting as chairman, whether the films would be sold singly, Pettijohn declared that when salesmen call on exhibitors they try to sell as much product as possible.

Abram F. Myers, Allied general counsel, quickly rejected Pettijohn's proposal, declaring that under it, "our problem is not advanced for the reason that there cannot be an exercise

*(Continued on page 4)*

## *Sunday Shows Nearer*

**Sunday shows for New York City legitimate theatres moved closer last night when representatives of craft unions met with the League of New York Theatres. Sentiment was reported as favorable and the delegates will report on the question to their unions next week.**

## Australian Censor Board Reappointed

By LIN ENDEAN

SYDNEY, April 4.—Australian censor board has been reappointed for three years, including W. Cresswell O'Reilly, chief censor, Lieut. Col. F. J. Hurley and Mrs. G. D. J. Hansen, and Major General I. G. Mackey, appeal censor.

Hoyts circuit in Victoria has instituted a Movie Quiz drive similar to that in the United States, with reported excellent results. Prizes are valued at $5,000, and the contest gave a sharp uward push to grosses in the circuit's houses. The success of the campaign has led the circuit to plan similar contests in other states.

The recently constituted New South Wales Film Commission, through its chairman, F. W. Marks, has asked exhibitor and distributor organizations to get together in framing a standard form of exhibition contract. It is the desire of the commission that a contract be completed in time for the beginning of the new selling season on Aug. 1. Previous efforts to reach an accord have failed, but it is expected that if through the settlement by the commission of controversial points an agreement is reached, other states will follow with similar agreements.

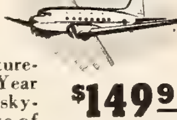
Exhibitor organizations in other states are pressing for legislation embodying the points in the New South Wales film law, 25 per cent rejection, British film quota of 15 per cent, restriction of theatre licenses, standard contract and Australian quota of 2½ per cent.

### Pascal Off Tomorrow

Gabriel Pascal, British producer, leaves tomorrow for the coast, where he will arrange for casting "Doctor's Dilemma," Shaw play which he will make for M-G-M. Several M-G-M players will be used, it is understood. The shooting script will be completed on the coast.

### Eastern SMPE Meets

Eastern division of the S.M.P.E. will hold its monthly meeting tomorrow evening at the Eastern Service Studios in Astoria, L. I. Don Hyndman of Eastman Kodak will be chairman. Frank K. Speidell, president of the studios, will speak.



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## Purely Personal

NORMAN H. MORAY, Vitaphone sales manager, will be in Portland today and in San Francisco Friday and Saturday in his annual tour of Warner exchanges.

•

JOSEPHINE LANGFELDER, receptionist for the Film Board of Trade, has returned from a trip to Bermuda. HELEN GOTTLIEB is the latest addition to the Board of Trade's office staff.

•

HERMAN G. WEINBERG has resigned as director of publicity at World Pictures, but will retain offices there as a free lance film editor and publicist.

•

JEFFERY BERNERD and MAURICE WILSON, joint managing directors in Europe for Grand National, arrive tomorrow on the *Queen Mary*.

•

F. A. COTO, vice-president and general manager of Peliculas Cubanas, has returned to Havana after closing a distribution deal here.

•

COL. H. A. COLE, Allied president, who is in Washington for the Neely bill hearings, does not plan to come to New York.

•

FRANCES KAPLAN of Monogram's New York exchange has returned to her desk after a week in Lakewood.

•

MARTY MULLIN and SAM PINANSKI are in town from Boston.

WILLIAM WYLER, director of "Wuthering Heights," screened the picture at New Haven last night for WILLIAM LYON PHELPS, Yale's professor of English literature.

•

JOE KEHOE, former New York and Long Island salesman for Monogram, is now at the home office handling non-theatrical business.

•

SOL SOLOMAN, Principal Film exchange salesman, and his brother, GUS, of Warners, are mourning the loss of their father.

•

SAM COCALIS, head of the Cocalis circuit, is expected back from a Florida vacation the end of this week.

•

SYLVIA RICHMAN and JULIA BERMAN of the Principal Film exchange are ill.

•

HARRY KAPLOWITZ of City Engraving celebrated another birthday yesterday.

•

HAROLD WEINSTEIN, an attorney has joined the office of Phillips & Nizer.

•

GEORGE M. COHAN returns from a European vacation tomorrow.

•

JOHN NOLAN is in St. Vincent's Hospital.

•

HARRY A. ROSS has gone to Miami.

## Canadian Parliament Ratifies Trade Pact

TORONTO, April 4.—Terms of the Canadian-United States trade pact, which went into effect at the beginning of the year, have at last been ratified by a vote of the Canadian Parliament and the reduced duties on numerous imports from the U. S. A. including motion pictures of 35 mm. width and theatre equipment, have been confirmed.

The Canadian House of Commons has yet to take up legislation implementing a provision of the trade treaty for the cancellation of the special 3 per cent excise tax on imports from the States covered by the treaty and this impost remains in effect for the time being.

## Winners Announced In 'Gateway' Quest

HOLLYWOOD, April 4.—Rowena Cook of New York and Ralph Bowman of Lincoln, Neb., were declared the winners in the "Gateway to Hollywood" talent search for new screen faces. The prizes are RKO contracts and featured roles in Phil Stong's "Career." Jesse Lasky, who conducted the quest, after announcing the winners at the Doublemint Sunday night broadcast said there would be a second search for youths who can sing as well as act. Three who were among the final six in the contest have received RKO contracts. They are John Laird of Waukegan, Ill.; Rochelle Germano of San Francisco, now Linda Hayes, and Kathryn Hohn of Minneapolis.

## The Newsreel Parade

*Opening of the new Italian council, Grand National steeplechase race, French President Lebrun in England and President Roosevelt in the south constitute the major news event coverage in the new issues of the newsreels. The reels and their contents follow:*

MOVIETONE NEWS, No. 59—Reception for Lebrun in England. Italian council opened. New submarine for navy. Dog show. Clipper crosses Pacific. Grand National race. Golf tournament. Surfboard riding. Lew Lehr.

NEWS OF THE DAY, No. 257—Lebrun leaves England. King Emanuel opens council. Roosevelt in Alabama. Pistol champion. Lombard and Gable wed. Bonnet fashions. Grand National race.

PARAMOUNT NEWS, No. 70—Daffodil festival in Washington. Cherry blossoms. Lombard and Gable return from elopement. Rainmaker gets results. Hitler's nephew arrives in New York. Motorists crash in Mississippi. War events in Europe. Workman wins Grand National. Amateur boxing bouts. Racing begins at Bowie.

RKO PATHE NEWS, No. 74—Chamberlain greets Lebrun in England. Lombard and Gable report back to studio. Hungarians reach Polish border. King Emanuel addresses new council. Grand National steeplechase.

UNIVERSAL NEWSREEL, No. 759—Roosevelt dedicates medical center. Dr. Hoscha visits Berlin. Ceremony for Czech soldiers. Italian council opens. Cardinal Mundelein returns from Rome. Fire in Ohio. Bridge washout. Cherry blossoms in Washington. Flower festival. Golden Gloves. Dog show. Champion pistol marksman. Grand National race.

## Edith Cavell Film To Be Wilcox's First

The life of Edith Cavell, England's famous war nurse, will be the subject of Herbert Wilcox's first American production for RKO. Anna Neagle will have the title role. Picture replaces "Marie Lloyd" on the Wilcox Hollywood program because Cary Grant is not available at this time. Latter picture will be made late [illegible] year.

Wilcox returns to London on the *Queen Mary*, sailing Friday, with plans for returning with Miss Neagle in a few weeks to begin work on the Cavell picture in Hollywood.

### Equity Election May 26

Annual meeting and elections of Actors' Equity will be held at the Hotel Astor May 26. J. T. Schless, who will produce Shakespearean revivals at the World's Fair, appeared before the council to determine whether his agreement with Equity would be altered because of higher requirements for Fair shows which were set two weeks ago. The council ruled that the agreement made in January with Schless would be permitted to stand.

### Zukor Returning Soon

Adolph Zukor, Paramount board chairman, will sail from England April 15 on the *Queen Mary*, returning to New York. He will be accompanied by Mrs. Zukor. His next assignment has not been set yet but he will probably remain for the company's annual sales convention before beginning another foreign trip. He has been in the British Isles and on the Continent since late December.

### Loew's Takes Olympia

Loew's tomorrow will reopen the Olympia, former Skouras house, at 107th St. and Broadway, after extensive remodeling. Policy will be the same as at Loew's 83rd St., first run double bills, with weekly program changes on Thursday, playing day and date with the 83rd.

### To Run Italian Films

Clemente Giglio has leased the Irving Place Theatre for the showing of Italian films.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# THE 10 BEST PICTURES OF 1939!

## *A Prediction by Leo of M-G-M*

**Metro-Goldwyn-Mayer presents ROBERT DONAT in "GOODBYE, MR. CHIPS" with GREER GARSON. A Sam Wood production. Screen Play by R. C. Sherriff, Claudine West, Eric Maschwitz. From the book by James Hilton. Produced by Victor Saville.**

I saw "GOODBYE, MR. CHIPS".

I saw a picture which is assured of a top spot among this year's Ten Best.

I saw Robert Donat's performance as "Mr. Chips", destined to be a leading contender for this year's Academy Award.

I saw a new star born to the box-offices of the world, Miss Greer Garson, whose beauty shines from the screen with tenderness and truth, stirring hearts that seek your theatre for emotional thrill.

I saw an entertainment that will take its place among the immortal works of the screen, a picture for humanity's masses, to be beloved by people in every walk of life, to be played with sensational success now and to be revived in years to come.

I am proud of "GOODBYE, MR. CHIPS" for it is typical of the attractions which have made M-G-M a symbol to picture-goers of the finest in films.

*Picked for 1939's new female star sensation, Miss Greer Garson as Katherine in "Goodbye, Mr. Chips."*

*Picked for 1939's Best Male Performance Award, Robert Donat as "Mr. Chips.".*

# Pettijohn Offers Selectivity Plan

(*Continued from page* 1)

of intelligent right of selection by anyone unless the goods are labeled."

"Our organization has not simply insisted on this bill all these years," Myers said. "It has made proposals for identification of films, but we are simply told that the distributors will not grant that. Exhibitor witnesses will testify that they no longer have the kind of information which they used to have."

Atkinson, resuming the stand this morning, said there are only three ways to deal with the "power" he said the distributors hold.

"The first would be national censorship, which is essentially impossible as un-American," he explained. The second would be "unofficial national censorship at the source of production, which we now have" and which he declared would not last long if Legion of Decency and other pressure was removed. The third "and only method which is sure of getting pictures for the American community which that community wants" is under the Neely bill, he declared.

### White Is Unconvinced

Senator White said he was unable to see how the mere elimination of block and blind booking would give communities freedom of selection, pointing out that if people could influence the exhibitor under individual buying they could make their views equally forcefully felt now.

"I view with considerable suspicion any attempt to settle the matter by voluntary negotiations," he said, referring to Petijohn's offer.

Atkinson was followed by a parade of organization representatives who urged enactment of the measure, including Catherine Lyford, Boston, executive secretary, Massachusetts Civic League; Helen W. Atwater, Washington, representing the American Home Economics Association; Harriet Houdelette of the American Association of University Women, Washington; Mrs. E. E. Danley, Y. W. C. A., Washington, and Izora Scott, National W. C. T. U., Washington.

# *U. A. Will Convene On Coast May 8 to 10*

(*Continued from page* 1)

day that it will release Samuel Goldwyn's "Angels Making Music," on which casting has been completed. Delivery of the picture has been in question since Goldwyn's suit to abrogate his current contract with the company was instituted. A minimum of two pictures is expected from Goldwyn for the new season's program.

A routine meeting of the United Artists board of directors was held here yesterday. James Roosevelt, board representative for Goldwyn, sails for England Friday on the *Queen Mary*.

## *Sunday Films for Maine*

AUGUSTA, ME., April 4.—The bill to legalize Sunday motion pictures was passed today by the Senate. The measure already had passed the House.

# *Studio Union Fails to Enjoin International*

HOLLYWOOD, April 4.—International I. A. T. S. E. officers today won the first round of the fight for control of Studio Technicians Local 37 when Superior Judge Emmett H. Wilson dismissed the application of deposed local officers for a permanent injunction. Judge Wilson set Tuesday as the date of trial for the suit of international officers seeking a permanent restraining order against the ousted executives.

Members of virtually all Hollywood unions attended the mass meeting Sunday in behalf of the cause of Local 37. I. A. T. S. E. International officers did not attend and said the gathering was an attempt of the C.I.O. to gain a foothold in Hollywood.

# *Discuss Trade Pact At Denver Meeting*

DENVER, April 4.—Theatre Owners and Managers of the Rocky Mountain Region met here today to discuss the trade practice code. No conclusion was arrived at and another meeting was set for next week. The only definite expression of opinion was that of certain Denver exhibitors who said they favored some arbitration plan over any plan which called for Government interference.

### Coast ITO Weighs Pact

HOLLYWOOD, April 4.—The board of directors of I. T. O. of Southern California meets tomorrow afternoon to consider the revised trade practice agreement. R. H. Poole, business manager, said a statement would probably be issued following the session.

# *Provincial Cinema Profit Is $2,581,750*

LONDON, April 3. — Provincial Cinema Theatres, for the year ended Jan. 31 last, declared a profit of $2,581,750, the highest total in the history of the company. In three successive years profits have exceeded half a million pounds.

A dividend of 15 per cent, together with a further payment equivalent to 7½ per cent will be paid, making 22½ per cent in all, which is the same as was approved last year.

## *SWG, Producer Parley*

HOLLYWOOD, April 4.—Producers and writers' representatives met today with N.L.R.B. trial examiner James C. Batten in an attempt to break the deadlock over negotiations for an S.W.G. contract as a collective bargaining agency for film writers. No announcement was made following the sessions.

## *Negress Sues Theatre*

DENVER, April 4.—L. C. Snyder, owner of the State, Fort Collins, Col., has been sued for $500 for alleged discrimination by Mrs. Mattie Lyle, Negress, who claims that after buying her ticket and being admitted to the theatre, she was denied full privileges.

## *Howard to Standard*

HOPE, ARK., April 4.—Hal Howard, manager of the Saenger and Rialto here, has resigned to go to Milwaukee, where he will become associated with Standard Theatres.

## *Free Breakfast*

**Cincinnati, April 4. — "Dow's Daily Express," full hour commercial, aired at 7:30 A.M., Mondays through Saturdays for local Dow Drug Co., will move from WSAI studios to the company's store in the center of the downtown area. Clair Shadwell will continue to conduct the broadcasts, and will interview patrons having breakfast in the store. Those interviewed will be served breakfast free.**

# *Dominion Will Have Film Commissioner*

TORONTO, April 4. — In connection with the debates in the Canadian House of Commons and Senate over the measure of W. D. Euler, Minister of Trade and Commerce, for the establishment of a National Film Board for the Dominion, it was brought out that the salary paid by the Government to John Grierson of London as temporary advisor for the projected bureau was $350 per week. Grierson is a member of the Cinematograph Advisory Council under the British Films Act.

The National Film Board will have a national film commissioner whose salary will be $5,000 per year, it is stated, and there will be two staff employes who will be on a salary basis. The eight appointed members of the new board will receive only expenses in connection with the work of the organization, the purpose of which is to produce what have been described as "national films." The present Government Motion Picture Bureau will continue in its present form, while other departments of the Government will be at liberty to produce their own documentary films.

# *G. T. E. Reports Net Of $507,267 for '38*

General Theatres Equipment Corp. and subsidiaries have reported net profit of $507,267 for the year ended Dec. 31, 1938, after depreciation, interest, Federal income taxes and $225,000 reserve against advances to subsidiaries. The net is equal to 85 cents a share on 597,887 shares of no-par capital stock.

The profit compares with a net profit of $1,199,415 in 1937, equal to $2 a share on 600,892 shares of capital stock. Current assets at the end of 1938 amounted to $6,234,048.

## *Colony Plans 12 Films*

HOLLYWOOD, April 4.—Colony Pictures, headed by Max and Arthur Alexander, have announced a program of six features, in addition to six westerns starring Ken Maynard. All will be for state rights release. The titles are: "Emergency Landing," "Extra Edition," "Dead Men's Island," "Golden Glove Kid," "Military School" and "Road King."

## *Gets Mono. Franchise*

OMAHA, April 4.—Monogram franchise here, held by L. O. Ringler, has been transferred to Sol Francis. Francis has operated the American Distributing Corp. here. Ringler will return to Kansas City.

# 32 Films Are Now Shooting on Coast

HOLLYWOOD, April 4.—Thirty-two pictures were before the cameras this week, as 12 pictures started and 13 finished. Twenty-two are being prepared, and 64 are in the cutting rooms.

Those started were: "The Power to Kill" (Darmour), "Good Girls Go to Paris, Too" and "Arizona C[illegible]boy," Columbia; "Wolf Call," Mo[illegible]gram; "Million Dollar Legs," "The Cat and the Canary," Paramount; "Racketeers of the Range," "Five Came Back," RKO; "Headin' for Texas," Republic; "It Could Happen to You," 20th Century-Fox; "Ex-Champ," "They Asked for It," Universal.

In addition to these, shooting were: "The Restless Age," Goldwyn; "6,000 Enemies," M-G-M; "Beau Geste," "Geronimo," "Island of Lost Men," "What a Life," Paramount; "Little Mother," RKO; "Gone with the Wind," Selznick-International; "The Man in the Iron Mask," Small; "Stanley and Livingstone," "Young Mr. Lincoln," "Second Fiddle," 20th Century-Fox; "The Sun Never Sets," "The House of Fear," Universal; "Each Dawn I Die," "Gantry the Great," "Battle of City Hall," "The Old Maid," "Give Me a Child," "Enemy Agent," Warners.

Finished were: "Only Angels Have Wings," Columbia; "Boys' Reformatory," Monogram; "The Magnificent Fraud," "Mr. and Mrs. Bulldog Drummond," Paramount; "The Second Shot," "The Girl from Mexico," RKO; "Three Texas Steers," "Blue Mountain Skies," Republic; "Return of the Cisco Kid," 20th Century-Fox; "For Love or Money," "The Oregon Trail," Universal; "Confessions of a Nazi Spy," "Family Reunion," Warners.

Columbia and M-G-M are shooting one short subject each. M-G-M is preparing one, and 13 are being edited.

# *'Say It With Music' To Be Berlin's Next*

HOLLYWOOD, April 4. — Twentieth Century-Fox today announced that Irving Berlin's next picture would be "Say It With Music," in which about 25 of his songs would be used in a manner similar to that employed for "Alexander's Ragtime Band."

Don Ameche and Alice Faye will be co-starred in 20th Century-Fox's "Hollywood Calvalcade," high budget production telling of the growth of the film industry.

## *Plan "Birth" Appeal*

ALBANY, April 4.—Department of Education counsel here has received records of preliminary court proceedings on "The Birth of a Baby," indicative of a forthcoming appeal to the Appellate Division. The film was banned in New York State in the fall of 1937, the ban being upheld by Dr. Frank P. Graves, Commissioner of Education.

## *Gets Irish Picture*

Mecca Film Laboratories have acquired exclusive ownership of "Rose of Tralee," Irish film, for the United States, according to Harry Glickman, president. Rights cover 35mm. and 16mm.

# 'Daughter' in Minneapolis Does $14,000

MINNEAPOLIS, April 4.—Combination of "Yes, My Darling Daughter" and the Lou Breese band and stage entertainment at the Orpheum was the best business getter, grossing $14,000.

In St. Paul, practically all business was sub-average.

Estimated takings for the week ending March 30:

### *Minneapolis:*

**"Silver on the Sage" (Para.)**
**"Boy Trouble" (Para.)**
**"Nancy Drew Reporter" (W. B.)**
**"The Lady Vanishes" (G. B.)**
ASTER—(900) (15c-25c). Dual bills, split week. Gross: $1,300. (Average, $1,500)
**"The Beachcomber" (Para.)**
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $3,200. (Average, $4,000)
**"Four Girls in White" (M-G-M)**
GOPHER—(900) (25c) 7 days. Gross: $2,500. (Average, $2,500)
**"Yes, My Darling Daughter" (W. B.)**
ORPHEUM—(2,900) (35c-55c) 7 days. Lou Breese, Stepin Fetchit, Armida on the stage. Gross: $14,000. (Average, $4,800)
**"Wife, Husband and Friend" (20th-Fox)**
STATE—(2,300) (25c-40c) 6 days. Gross: $3,800. (Average, $4,400)
**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-55c) 7 days, 4th week. Gross: $1,600. (Average, $1,400)

### *St. Paul:*

**"Trade Winds" (U. A.)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $2,500. (Average, $3,200)
**"Wife, Husband and Friend" (20th-Fox)**
PARAMOUNT—(2,500) (25c-40c) 7 days Gross: $3,000. (Average, $4,000)
**"The Beachcomber" (Para.)**
RIVIERA—(1,000) (25c) 7 days. Gross $1,800. (Average, $1,800)
**"Pacific Liner" (RKO)**
**"Arizona Wildcat" (20th-Fox)**
TOWER—(1,000) (25c) 7 days. Gross: $1,300. (Average, $1,500)
**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-35c) 7 days. Gross: $900. (Average, $700)

# *'Midnight' Best in New Haven at $7,000*

NEW HAVEN, April 4.—"Midnight" and "Ambush" took $7,000 at the Paramount. The Loew-Poli with "The Little Princess" and "Everybody's Baby" took $6,500. The second week of "Love Affair" and "Secret Service of the Air" took $4,200 at the Roger Sherman.

Estimated takings for the week ending March 30:

**"Huckleberry Finn" (M-G-M)**
**"Let Us Live" (Col.)**
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $2,700)
**"The Little Princess" (20th-Fox)**
**"Everybody's Baby" (20th-Fox)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $6,500. (Average, $8,000)
**"Midnight" (Para.)**
**"Ambush" (Para.)**
PARAMOUNT—(2,348) (35c-50c) 7½ days. Gross: $7,000. (Average, $4,000)
**"Love Affair" (RKO)**
**"Secret Service of the Air" (W. B.)**
ROGER SHERMAN—(2,200) (35c-50c) 7 days, 2nd week. Gross: $4,200. (Average, $4,000)

# *Union Appeals Decision*

VANCOUVER, B. C., April 4.—Counsel for the Vancouver, New Westminster and District Trades & Labor Council, and the B. C. Projectionists' Union have entered an appeal against a judgment for damages and an injunction restraining plaintiffs from picketing the Hollywood here, and from publishing alleged defamatory statements.

# *Hollywood Previews*

## *"Broadway Serenade"*

*(M-G-M)*

HOLLYWOOD, April 4.—Robert Z. Leonard adapted that advice, "Something old and something new," as the inspiration for his first produced and directed picture for M-G-M, "Broadway Serenade." The old part is time proved screen entertainment material, a love story that encounters difficulties when interrupted as careers clash, music sung by Jeanette MacDonald, comedy and spectacle. The new part, about a reel and a half, is an unique bit of modern, impressionistic production staging, makeup, costuming and musical treatment. The first is formula; the second is bizarre. The combination seemed to satisfy and certainly surprised the preview audience.

Song and piano team Miss MacDonald and Lew Ayres splits when she gets a chance to climb to fame. Their marriage goes on the rocks when she goes up and the man who wants to compose great music goes down. She's a Broadway star, managed by Frank Morgan and admired by Ian Hunter, when he is playing a piano in the five and ten cent store. But Al Shean retrieves music that Ayers would destroy. It turns out to be a masterpiece. Hunter retires gracefully as husband and wife are reunited. Then comes the ultra modern spectacle. This feature is new, different and surprising.

Lew Lipton, John Taintor Foote and Hans Kraly wrote the original story and Charles Lederer did the screenplay. Ten composers and lyric writers accounted for the music. Seymour Felix staged two spectacle numbers and Busby Berkeley is credited with creating and directing the odd finale.

Running time, 115 minutes. "G."* G. McC.

## *"I Am Not Afraid"*

*(Warners)*

HOLLYWOOD, April 4.—Patriotic Americanism is the entertainment theme of "I Am Not Afraid." Its melodramatic substance is Lucien Hubbard's story, "The Star Witness," but as Hitler, Mussolini and Stalin and the political systems they symbolize are bawled out, its the corrupt American political system and its gangster allies that take another punch on their already (on the screen) well punched chins.

Politics and crime commit another murder. Crime murders a witness who threatens to blow the lid off corrupt politics. It terrorizes an American family, cruelly beats the family's head, steals the favorite child, makes true the rantings of its sophomoric son, but only gets up the ire of grandpa, who charged up San Juan Hill with Teddy Roosevelt and has never forgotten it. The police, district attorney and courts cannot do much against the politician-gangster combine. But grandpa can. He cuts the heart out of the unholy alliance of which everybody else was afraid and stirs up such a turmoil that everybody will realize that the alien enemies of Americanism will never get in and that those that are in will either be hanged, electrocuted or go to jail. This idyllic state of affairs is not shown on the screen. It's only talked about.

This Bryan Fox production, based on the Hubbard story, was modernized by Lee Katz and directed by Crane Wilbur. It features Charley Grapewin, Henry O'Neill, Jane Bryan, Elizabeth Risdon, Jimmie MacCallion, Dickie Jones, John Gallaudet, Fred Tozere and about a dozen more.

Running time, 60 minutes. "G."* G. McC

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*"G" denotes general classification.

## *Orders Examination*

Federal Judge Edward A. Conger has ordered David and Philip Sherry of Miller & Sherry Enterprises to testify before trial in the $225,000 anti-trust suit brought by Orange County Theatres. Paramount, 20th Century-Fox, Universal, RKO, United Artists, Joseph Lee, George Walsh, Eugene Levy and Netco Theatres Corp. are defendants.

## *Honor Ohio Governor*

COLUMBUS, April 4.—Local Variety Club will induct Gov. John W. Bricker of Ohio as an honorary member. National Chief Barker John H. Harris of Pittsburgh will conduct the induction ceremony.

## *Buying Pool Formed In Cincinnati Area*

CINCINNATI, April 4.—A pool having for its purpose the collective buying of product and equipment, tentatively called Theatre Management Booking Operation, is in the preliminary stages of formation here by Maurice White, who, in association with Ike and Abe Libson, controls several houses in Ohio and nearby territory situations.

The Sam D. Lee circuit, operating theatres in Winchester, Frankfort and other Kentucky locations, was among the first to be signed. Membership will be confined to theatremen in the Cincinnati trade territory, with 75 to 100 theatres as the limit.

# 'Princess' Is Chicago Lead With $16,000

CHICAGO, April 4.—"Love Affair" took the highest gross in the Loop and gave the Palace $21,000. "Four Girls in White" pleased at the State-Lake with a $14,500 gross and "Little Princess" at the Roosevelt did excellent business with $16,000. The weather was cold and unsettled most of the week.

Estimated takings for the week ending March 29-April 1:

**"Pygmalion" (M-G-M)**
APOLLO—(1,400) (35c-55c-75c) 7 days, 7th week. Gross: $6,000. (Average, $6,500)
**"Oklahoma Kid" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Spanish Revue. Gross: $22,600. (Average, $32,000)
**"Midnight" (Para.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,200. (Average, $6,500)
**"Tail Spin" (20th-Fox)**
**"Code of Streets" (Rep)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,300. (Average, $13,000)
**"Love Affair" (RKO)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $21,000. (Average, $19,000)
**"Little Princess" (20th-Fox)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $16,000. (Average, $11,000)
**"Four Girls in White" (M-G-M)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,500. (Average, $12,000)
**"Made for Each Other" (U. A.)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $15,000)

# *'Smart Girls' Good $14,300, Cincinnati*

CINCINNATI, April 4. — "Three Smart Girls Grow Up," with a $14,300 take at the RKO Albee, was the high spot in an otherwise rather dull week.

"The Oklahoma Kid" did a fair $9,800 at the RKO Palace, and "You Can't Cheat An Honest Man" took $4,800 on a moveover week at the RKO Capitol.

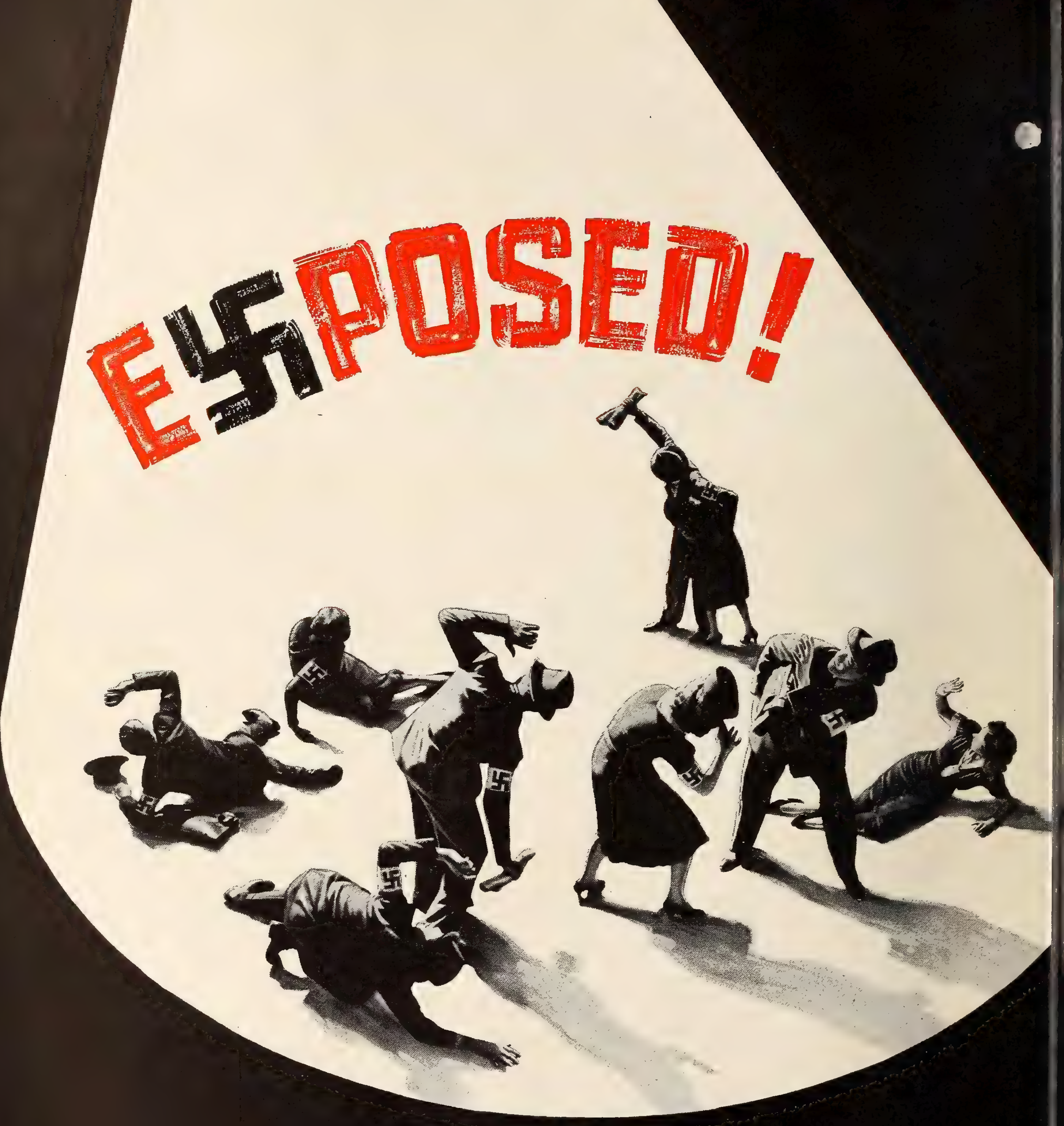
Estimated takings for the week ending March 29-April 1:

**"Three Smart Girls Grow Up" (Univ.)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $14,300. (Average, $12,000)
**"The Oklahoma Kid" (W. B.)**
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,800. (Average, $10,000)
**"Yes, My Darling Daughter" (W. B.)**
RKO SHUBERT—(2,150) (35c-42c) 7 days, 2nd week. Gross: $4,500. (Average, $10,000)
**"Love Affair" (Radio)**
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $6,500. (Average, $6,500)
**"You Can't Cheat An Honest Man" (Col.)**
RKO LYRIC—(1,400) (35c-42c) 7 days, 2nd week. Gross: $4,800. (Average, $5,000)
**"King of the Turf" (U. A.)**
RKO GRAND—(1,200) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $2,750)
**"Tough Kid" (Mono.)**
**"Secret Service of the Air" (W. B.)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,250. (Average, $1,500)
**"I Was A Convict" (Rep)**
**"Society Smugglers" (Univ.)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $1,000. (Average, $900)
**"Blackwell's Island" (W. B.)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $3,850. (Average, $6,000)

# *Motion in Slander Suit*

OKLAHOMA CITY, April 4.—Motion has been filed asking that the amended petition in the $100,000 slander suit of Sol Davidson against the National Theatre Supply Co. and C. P. Anderson be stricken out. It is claimed by defendants that the petition does not comply with the court order.

## SOON TO BE REV



## THIS MIGHTY DRAMA BY ITSELF WOULD

LED TO A WAITING WORLD! THE COMPLETE

# Confessions of a
# NAZI SPY

*The Star:*

**EDW. G. ROBINSON**

*The Supporting Cast:*

**FRANCIS LEDERER · George Sanders · Paul Lukas**
**Henry O'Neill · Directed by ANATOLE LITVAK**

Screen Play by Milton Krims and John Wexley • Based on materials gathered by Leon G. Turrou, ace G-Man • A First National Picture

KE 1939 WARNER BROS.' GREATEST YEAR!

# Banner LINES

THE new Crossley report shows Edward G. Robinson's "Big Town" series to be seventh in all-around program popularity, scoring better than Fred Allen, Eddie Cantor and Burns and Allen, and topped only by Jack Benny, Chase & Sanborn, Lux Radio Theatre, Major Bowes and Kate Smith. This is a superlative showing for Robinson, considering the Warner star's comparatively brief career in radio.

We do not want to appear prejudiced against the motion picture element that maintains radio appearances are not good for picture players, or the cinema industry. But if anyone can convince us that radio work is hamstringing Ed Robinson's cinema value, we'll listen with wide open ears and mind. As to Robinson himself, the last time he was in New York we spoke to him about his radio work. It is his own opinion, and we are quoting him, that he is worth twice as much to Warners as a result of his air popularity.

▼

*Apropos of the supposed death-dealing qualities of the radio kiss, newspaper publishers once anguished themselves with the thought that the broadcasting of news would cripple the circulation of their papers. The St. Louis* Post-Dispatch *recently noted that when Pope Pius XI was elected in* 1922 *there was no trans-Atlantic radio. Newspapers were the only source of information and the* Post-Dispatch *sold only* 1,000 *extra copies then. In* 1939 *Cardinal Pacelli succeeded to the Papacy, and the* Post-Dispatch *editorialized that it sold* 5,000 *extra copies with the election which many of its readers had heard with their own ears. The editorial continues:*

*"The* Post-Dispatch *. . . believes that this may indicate the whetting of public interest by radio. We agree absolutely. Radio may have changed the function of the newspaper, but it has augmented, rather than diminished that function."*

▼

**Nothing official from Young & Rubicam as to the summer replacements for Fred Allen, but some sources have stated that Fred Uttel and Arlene Francis will carry on for Fred. It's our opinion, however, and that based on more than hearsay, that the substitutes will be Budd Hulick and Arlene.**

▼

Maxie Rosenbloom, great fighter and thespian, is ardently desired for radio by Ham Fisher, cartoonist who draws the Joe Palooka strip. A sponsor has taken an option on the strip for radio, but Maxie is wanted for the part.

▼

Heywood Broun will be on the "Hobby Lobby" tonight. Broun's hobby is painting and after spending $5,000 indulging it, he recently sold his first canvas for $10.

—JACK BANNER

## P. & G. Using Discs

Procter & Gamble, through the Compton agency, is spotting, for the first time, electrical transcriptions of "The Gospel Singer" over a number of southern stations.

# ▸ Radio Personals ◂

GEORGE FISHER, Mutual's Hollywood commentator, is in New York and will remain here to do his regular Saturday night broadcast. . . . Homer B. Snook of RCA Photophone has left on a two-week business trip across the country, with Hollywood as the terminus. S. J. Perelman has been signed by Mutual as one of the permanent members on the new "Author, Author" series which bows in Friday night. . . . Dorothy Lamour leaves New York for Hollywood tonight.

## US, British Program Exchange Arranged

A series of exchange programs advertising the New York and London markets to British and American importers has been arranged between WMCA and the International Broadcasting Co., Ltd., of London, operators of Radio Normandie in Paris. Latter is the station over which England hears commercial programs, since the BBC is not available to advertisers.

Arrangement provides for exchanging most popular programs of each station, with the exchanges to be aired weekly in New York and Paris. First exchanges are to be aired April 23, in Paris, May 1 over WMCA. The exchanges are to be especially transcribed and shipped via the *Queen Mary* and *Normandie.* In addition to the entertainment features of the broadcasts, the programs will also contain informative talks on the marketing of export products through the medium of radio.

## Deals Closed at WHN

Many new and renewal contracts have been closed at WHN by advertisers and agencies taking advantage of the station's rates before the increase which took effect yesterday. Accounts included Adam Hat Stores for one year, Delehanty Institute for 13 weeks, Oxo, Ltd., for 39 weeks, Hudson River Dayline for 10 weeks, Potter Drug & Chemical Co. for 26 weeks, Kohler Manufacturing Co. for one year; Steem-Electric Co. for 13 weeks, West Disinfecting Co.

## Joins Suit Against RCA

N. Y. Supreme Court Justice Alfred Frankthaler has allowed William Rieders, holder of 600 shares of common stock of RCA, and Margaret Guglielmo, holder of 50 shares, to intervene as plaintiffs in the stockholders' suit now pending against RCA, A.T. & T., Westinghouse and General Electric. The suit seeks an accounting and appointment of a receiver, charges waste and mismanagement and transfer of a large block of shares to A.T. & T. Westinghouse and General Electric.

## Wolsfield Sues NBC

Albert H. Wolsfield, orchestra leader known as Al Fields, has filed suit for an injunction and accounting in the U. S. District Court against RCA, NBC and Gray Gordon, another orchestra leader. Fields claims to be the originator of "Tic Toc Music," and the designer of a patented "combined clock-face and metronone" which he uses to accompany his music.

## Will Air The Easter Parade from Coach

**Following a custom started three years ago by WOR, an old English road coach will roll down Fifth Avenue Easter Sunday, and on board Dave Driscoll of WOR will describe the fashion parade for his station and the Mutual network. Driscoll's companions aboard the coach will include Olsen & Johnson, Wynn Murray, Benay Venuta, Joan Davis, Vyvyan Donner and Radie Harris.**

## Columbia University To Study Facsimile

Columbia University will study advances in facsimile broadcasting and WOR has installed facsimile receivers at the University. Research will be conducted to determine new applications and home technique for home facsimile. First researching will be in type styles, sizes and makeup for facsimile copy.

A similar tieup with City College is planned by WOR.

## Sign Lum 'n' Abner For CBS Renewal

A new long term contract that will keep Lum 'n' Abner on the air until July, 1940, for their current sponsors, has been closed. The pact, engineered by Young & Rubicam for the General Food Corp., will go into effect when the team returns to the air next fall after a two-month summer vacation.

Lum 'n' Abner, veterans on the air of almost eight years standing, currently are heard three evenings weekly on CBS.

## Beta Kappa Sets Series

Phi Beta Kappa will offer a new series over NBC, titled "Get Ready for Tomorrow." Six speakers will be offered in the series. They are Dr. John H. Finley, editor-in-chief of the *New York Times;* John W. Davis, Dean Christian Gauss, Princeton University; Roscoe Pound, former dean of Harvard law school; Dr. John Erskine, and Chancellor Harry W. Chase of N. Y. U. Davis will open the series April 14.

## Levy Gives CBS Stock

WASHINGTON, April 4.—Disposition by gift by Isaac D. Levy, Philadelphia, director, of 125 shares of Columbia Broadcasting System Class A stock in February has been reported by the Securities and Exchange Commission. At the close of the month, Levy held 62,375 shares of Class A and 23,115 shares of Class B stock.

## 'Lancer' on Lux Hour

"Lives of a Bengal Lancer" will be the vehicle on the Lux "Radio Theatre" April 10, over CBS. Principal parts will be taken by Errol Flynn, Brian Aherne, C. Aubrey Smith and Jackie Cooper.

## To Televise Cup Final

LONDON, April 4.—British Broadcasting Corp. will televise the Football Association Cup final April 29, but the association has refused to permit the telecast in theatres or to a paying audience.

## Neville Miller Sees Brief Commercials

WASHINGTON, April 4. — Reduction in the length of advertising copy on commercial radio shows probably will result from the deliberations of the Committee on Program Codes and Standards of Practice of the National Association of Broadcasters, which met last week in New York, ac[illegible]ing to Neville Miller, N. A. B. president.

"This is in line with the existing trend in broadcasting and advertising," said Mr. Miller, "and will put greater premium on more skilled advertising writing, with briefer, more interesting and more pertinent messages about needed products and services. The industry is simply going to put into effect, universally, those practices of progressive advertisers which are already proving their effectiveness in achieving greater results and a higher degree of program popularity."

## Philco Plans Trip To Show Televisio

Philco is dispatching a televisio caravan across the country to show the nation the video art, following successful demonstrations of the company's new portable television transmitter in Florida and New York Philco's receivers also are being transported on the trip so that the broadcasts picked up by the transmitter ca be shown in the cities visited.

The television route includes demonstrations in Washington, Baltimore Boston, Pittsburgh, Cleveland, Detroit, Chicago, Milwaukee, Minneapolis and St. Louis. After this serie others are planned through wester and southern areas, with journey end at the Pacific Coast.

## F. P. Canadian Agai Elects All Officer

TORONTO, April 4.—At a meeting directors of Famous Players Canadia Corp., following the annual gener meeting, N. L. Nathanson was r elected president of the Canadian ci cuit and J. J. Fitzgibbons was aga elected as vice-president for the cu rent year. Announcement was ma that all directors of 1938 had been r named to the board and that changes in policy or management the company had been adopted.

Payment of 25 cents per comm share as the initial dividend for th year was indicated at the annu meeting.

## French 'Snow' to Open

For the American opening of W Disney's "Snow White and The Sev Dwarfs" in French, in which it b comes "Blanche Neige at Les Se Nains," the Waldorf Theatre will ta on a Paris theatre front. The ho will be closed Friday to prepare f the opening Saturday.

## Hit Cleveland Giveawa

CLEVELAND, April 4.—Independ subsequent run theatres here plan second meeting April 14 designed end giveaway advertising in nev papers, eliminate giveaways as co tracts expire, and to restrict duals certain days of the week.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 45. NO. 66 NEW YORK, THURSDAY, APRIL 6, 1939 TEN CENTS

# ALLIED RAPS PACT AT NEELY HEARING

## Republic Lists 50 Features at Texas Meeting

### Include 26 Dramas, 24 Westerns, 4 Serials

HOUSTON, April 5.—Republic's program of 26 features, 24 westerns and four serials for 1930-'40 will be announced here Friday at the opening session of the company's two-day southern regional convention at the Rice Hotel.

The serial and westerns program parallels that of 1938-'39, but "B" features have been eliminated in favor of a greater number of higher budget productions, according to James R. Grainger, president. The features will be designated as "A's." Last year the company announced 30 features.

The "Higgins Family" films have been expanded to a series of four, and the serials will feature new characters. The dramas are in groups of four De Luxe Productions, six Anniversary Specials and 16 Jubilee Productions. The westerns are divided into three groups of eight each, starring Gene Autry, Roy Rogers and the Three Mesquiteers.

Delegates from Atlanta, Charlotte, Memphis, Little Rock, Tampa, New Orleans, Dallas and Oklahoma City will arrive tomorrow, a day in advance of the convention, and will attend the premiere of "Man of Conquest" at the Majestic Theatre tomorrow night. Here from the home office are H. J. Yates, Grainger, Al Adams, William Saal and C. E. Hil-

(Continued on page 15)

## France Reported As Banning WB Films

**Despatches from France have the French Government as having banned Warner Bros. pictures from France for a period of two months beginning with yesterday because of the American company's having released "Devil's Island," considered by the French to be an anti-French film, although the picture was not exported from the U. S.**

**Warner Bros. shelved the picture following a French Embassy protest, after the film already had been extensively played around the country.**

## Neely Reveals Loss In Paramount Stock

Sen. Neely

**Washington, April 5.—Senator Neely's losses in Paramount stock for a while today stole the show at the Senate subcommittee hearing on his anti-block booking bill.**

**A discussion by Nathan Yamins led to the question of the financial difficulties in which some of the companies have been involved, leading Senator Neely to say that he held Paramount stock for which he paid $100 or more a share and from which he has never drawn a dividend and which is "now worth only five or six dollars."**

## Arnold's Absence Halts Strike Move

Absence from Washington yesterday of Thurman Arnold, special assistant to the U. S. Attorney General, delayed the filing of instructions to Government men here on their future procedure in the I. A. T. S. E.-Local 306 strike.

Berkley W. Henderson, head of the anti-trust division in New York, expects to receive the instructions from Washington momentarily, however. His report on the significant aspects of the strike and its background was forwarded to Arnold in Washington on Tuesday, but without recommendations. Future course of the Federal

(Continued from page 15)

## S. California ITO, Nebraska MPTOA Accept Trade Pact

LOS ANGELES, April 5.—The Board of Directors of I.T.O. of Southern California today approved the Trade Practice Agreement in principle, subject to final approval of the membership.

(The Southern California I.T.O. unit is one of the unaffiliated regional organizations which took part in New York trade practice conferences.)

OMAHA, April 5.—C. E. Williams, president of the M.P.T.O. of Nebraska and Western Iowa, approves the trade practice code draft submitted to exhibitor organizations. The unit is affiliated with the M.P.T.O.A.

The draft is "by and large the best thing the exhibitors ever have had," Williams said. He will discuss the proposed code with members, either at a general meeting or by mail.

## Studio Union Sues IATSE for Million

HOLLYWOOD, April 5.—Suspended officers of studio technicians Local 37, I.A.T.S.E. today filed suit against George Browne, international president, and other international officers, demanding return of $1,000,000 allegedly illegally collected in special assessments. Counsel for the local's officers obtained a new restraining order against International officers.

## Cole Calls Blind Selling And Block Booking 'Twin Evils'

WASHINGTON, April 5.—Cancellation, trade announcement and "specific demand" provisions of the proposed trade practice code today were denounced by Allied leaders as incomplete, ambiguous and meaningless.

The only effective relief from compulsory block booking can be secured through enactment of the Neely Bill, Col. H. A. Cole, president of Allied, asserted before Senate Interstate Commerce Subcommittee.

### "Two of Many Evils"

Block booking and blind selling, he said, are "twin evils" and but two of many "monopolistic and oppressive practices resorted to by Big Eight."

He read extracts from the Government's petition in the New York suit to explain how block booking is used and recited a history of the Interstate Case recently decided by the Supreme Court, asserting that in the three years between the original imposition of admission price restrictions and dual ban, and their outlawing by the courts, 23 theatres sold out to circuits.

Cole told Senator Neely, only mem-

(Continued from page 15)

## Bondy to Get Order On RKO Plan Today

**Formal order of confirmation of RKO's plan of reorganization will be presented for signature to Federal Judge William Bondy this morning. The order contains the usual clauses in such cases and provides for the method of consummating the plan. Nathan Rosenberg, attorney for H. Cassell & Co., objecting debenture holders, will submit a counter order which will provide that Atlas Corp., proponents of the plan, must submit an underwriting agreement for the $1,500,000 new capital required by the plan within 30 days after the order is signed.**

**Both Rosenberg and John S. Stover, attorney for Ernest W. Stirn, objecting Class A stockholder, stated that they would not apply for a stay to Judge Bondy.**

## F. W. C. Plans Price Cuts to Combat 'Mushroom' Units

LOS ANGELES, April 5.—Fox West Coast plans to experiment with lowered prices as a means of offsetting 15-cent competition from new houses which have been mushrooming in southern California. The price cuts may take effect in a week.

The circuit has felt effects of this opposition among the neighborhoods. Thornton Sargent, division manager, says the standard F.W.C. price of 40 cents will be cut to 30 or 25 cents in the four theatres seriously affected.

About 90 small theatres of the "store show" type have been built in this area and many more are planned, according to S. Charles Lee, architect. This type of theatre can be built for a few hundred dollars and can be operated at very low overhead. The operators are mostly from other lines of business.

Charles Skouras, head of F.W.C., has deplored this development as potentially detrimental to the industry and exhibitor organizations plan to take the matter up at their meetings.

## Monogram Session In Chicago May 4

Monogram's sales convention was set for May 4, 5 and 6 at the Drake Hotel, Chicago, by W. Ray Johnston, president, yesterday. About 200 salesmen and executives from Monogram's 37 offices in the U. S. and Canada as well as executives from foreign distribution outlets in London, Paris, Australia and South America will be on hand.

George W. Weeks, general sales manager, will outline the company's product plans for the 1939-40 season, which will include 32 features and 24 westerns. Special trains from New York, Hollywood and the south will bring the delegations.

Representing Monogram's foreign distribution outlets will be William Gell, managing director of Pathe Pictures, Ltd., London; Arthur Levy, Monogram's English representative; Norman Bede Rydge, chairman of the board of Greater Union Theatres and of British Empire Films, Australia, and Ernest Wettstein, Paris representative.

## *Paramount Group Off To Hollywood Today*

Paramount home office delegation starts west today led by Neil F. Agnew, distribution head, and Robert M. Gillham, advertising and publicity director. The two will stop off in Chicago tomorrow where Agnew will confer with the local sales representatives and Gillham will meet Cliff Lewis, studio advertising director, to discuss further arrangements for the Omaha premiere of "Union Pacific," April 28.

Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee; Edwin L. Weisl, board member; Russell Holman, eastern talent and story head, and Leon Netter of the home office theatre department, leave for the studio by train tomorrow and will be joined in Chicago by Agnew and Gillham. The home office delegation will be at the studio about three weeks conferring with Y. Frank Freeman and William LeBaron on the new season production program and annual sales convention plans.

Following the meeting Agnew will visit company exchanges in San Francisco, Seattle, Portland and Salt Lake City before returning to New York.

## *To Quiz Raftery Today*

Examination before trial of Edward Raftery, secretary of United Artists, and Harry Muller, treasurer, in the Government anti-trust suit will be conducted at the Federal Building at 2 P. M. today. Robert L. Wright, special assistant to the U. S. Attorney General, will conduct the examination and Benjamin Pepper, of O'Brien, Driscoll & Raftery, will represent U. A.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

## *Purely Personal*

BETTY GOLDSMITH, secretary to James Mulvey, will sail for England on the *Queen Mary* tomorrow. She will act as secretary to James Roosevelt while the latter is in England on Samuel Goldwyn business.

•

S. W. McClelland, manager of Erpi's foreign technical department, and M. J. Burger of the company's engineering staff have left for Montreal to confer with officials of the Northern Electric Co. there.

•

John Joseph, Universal advertising and publicity director, has postponed his departure for the studio to Monday. Matthew J. Fox, vice-president, still expects to leave New York tomorrow.

•

G. L. Carrington, vice-president and general manager of Altec, has returned from a week's trip to the south. F. C. Gilbert, chief engineer, has returned from Detroit and other Midwest cities.

•

Arthur Rapf of the Rapf, Ruden & Lederer circuit, returns tomorrow from a week's vacation in Atlantic City during which time he and Mrs. Rapf celebrated their 25th wedding anniversary.

•

Beulah Livingstone left last night for Boston to handle publicity on the opening of "The Challenge," released by Film Alliance of the United States, at the Trans-Lux on April 14.

•

Claude Rains, star of Warners' "Family Reunion" will leave the coast tomorrow for a month's vacation on his Pennsylvania farm.

•

Alan Hale of the cast of "Dodge City" will arrive in New York tomorrow to attend the premiere of the picture at the Strand.

•

George Sanders has arrived in England for work in "The Saint in London," RKO film to be produced at the Elstree studios.

E. W. HAMMONS, Grand National president, has returned from Washington.

•

Paul Williams, special assistant to the U. S. Attorney General in charge of the Government suit against the majors, returned to Washington after a brief New York visit.

•

Joan Votsis, associate editor of *Screen Book*, Fawcett publication, has become engaged to Peter Curtis of Newark.

•

Chester Morris will enact the title role of the "Man From Medicine Hat" to be broadcast over CBS April 9.

•

Edward Arnold, Jr., son of the actor, reported for work at Paramount yesterday in "Million Dollar Legs."

•

Alfred Hitchcock is en route to the coast to begin work on "Rebecca" for Selznick-International.

•

James MacFarland is handling television exploitation for Baird-Gaumont British.

•

Irene Castle has returned to her Chicago home after spending a week here.

•

Samuel Machnovich, Universal treasurer, is vacationing in Florida.

•

John Hertz, Jr., left by TWA plane for the coast yesterday.

•

Grad Sears is back on the job after fighting the grippe.

•

Spyros Skouras is confined to his home with laryngitis.

•

William Brandt is confined to his home with the flu.

•

Phil Laufer of Loew's publicity on the sick list.

•

George Trendle is in town from Detroit.

## *Complete Short for Will Rogers Week*

Short subject "For Auld Lang Syne" which will be used in connection with this year's Will Rogers National Theatre Week has been completed, Major L. E. Thompson, chairman, announced yesterday. The subject will be available to all theatres through any exchange center in the country. Proceeds from audience collections, which will be made during the week beginning April 20, will go to the Will Rogers Memorial Hospital, Saranac, N. Y.

Stars appearing in the film include Spencer Tracy, Deanna Durbin, Lowell Thomas, Robert E. Sherwood and Raymond Massey. It was produced with the cooperation of M-G-M, 20th Century-Fox, RKO, Universal and Warners. Scenes taken in Hollywood were supervised by Harold Rodner, Warner executive, and those taken in New York by A. P. Waxman, director of the campaign. Raw stock was contributed by Eastman Kodak (Jules Brulatour), Dupont-Pathe and Filmex-Gevaert. Shipping will be handled by National Screen Service.

## *Goldrick Sees U. S. South America Gain*

Miles A. Goldrick, assistant general foreign manager of Erpi, returned yesterday from a 20,000-mile air tour of Latin America during which he visited 26 countries and arranged for distribution of American equipment in major film centers.

He reported business conditions in South America generally unsettled, but noted an unusual growth in theatre business in Mexico in the last two years. Local estimates put the increase as high as 70 per cent, Goldrick declared. He pointed to a "pronounced feeling of sympathy for American-made products" developed recently in South America.

## *Boston Ball April 28*

Boston, April 5.—Phil Smith, chairman of the board of the Friars Club has set April 28 as the date for the Boston Friars Frolic and Motion Picture Ball, in the Boston Garden. The proceeds will go to supply film equipment for hospitals.

## 'Castle' Strong at $100,500 for Week

"The Story of Vernon and Irene Castle" finished its first week at the Music Hall with an estimated $100,500 and will continue there. "Midnight" opened at the Paramount yesterday and grossed an estimated $8,500 for the day. Tommy Dorsey and his band is the stage attraction. Second week of "I'm from Missouri" grossed an estimated $33,000 there.

"Three Smart Girls Grow Up" is set for four weeks at the Rivoli. Second week did an estimated $25,000 and the third will do an estimated $16,000. "Wuthering Heights" will open there on the evening of April 13. "Society Lawyer" attracted an estimated $20,000 at the Capitol. "The Story of Alexander Graham Bell" is doing excellent business at the Roxy and will be held. "Dodge City" goes into the Strand tomorrow, "Prison Without Bars" opens at the Globe Saturday and "Housemaster" (Associated British) bows in at the Little Carnegie on the same day.

## *To Ask Submission Of Pathe's Records*

Application for an order directing the officers and directors of Pathe Film Corp. to submit the books and records of the company for inspection by Anna Bashlow, holder of 200 shares of common stock, will be made today in the N. Y. Supreme Court before Justice Alfred Frankenthaler.

The filed petition asserts that immediate inspection is "imperative," since Pathe is presently transferring its assets under a plan presented to stockholders on Feb. 16, 1939, and approved by the stockholders. The petitioner claims unexplained expenses indicated in the 1936 and 1937 financial statements of the company, and charges impropriety in acquisition of stock of Grand National Films, Inc. The petitioner further charged the evasion of her demands by officers of the company.

## *Loew Dividend Set*

Loew's yesterday declared a regular $1.62½ dividend on the $6.50 cumulative preferred stock, payable May 15 to stockholders of record April 28.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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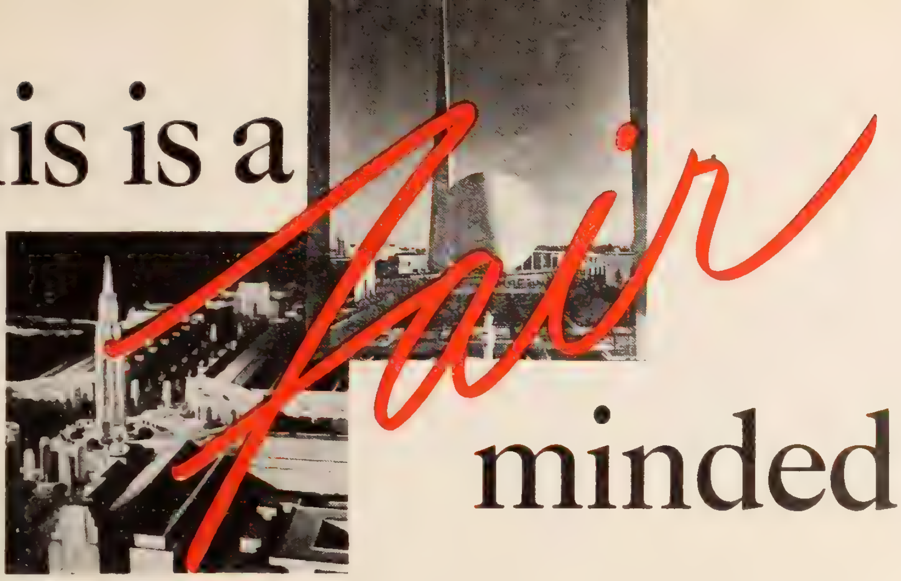
# This is a *fair* minded country



## And This Is A

# FAIR-MINDED COMPANY

*A Company that Believes in*

**FAIR DEALING WITH ALL**

*A Company that Believes in*

**FAIR PROFIT TO ALL**

*A Company that Believes in*

**FAIR PLAY ALL THE WAY**

*That Company Is*

# WARNER BROS.

- FOUR DAUGHTERS
- THE SISTERS
- BROTHER RAT
- ANGELS WITH DIRTY FACES
- DEVIL'S ISLAND
- DAWN PATROL
- THEY MADE ME A CRIMINAL
- WINGS OF THE NAVY
- BLACKWELL'S ISLAND
- THE OKLAHOMA KID
- YES, MY DARLING DAUGHTER
- DODGE CITY
- YOU CAN'T GET AWAY WITH MURDER
- CONFESSIONS OF A NAZI SPY
- NAUGHTY BUT NICE
- JUAREZ
- I AM NOT AFRAID
- EACH DAWN I DIE
- FAMILY REUNION
- THE KID FROM KOKOMO
- DARK VICTORY
- HELL'S KITCHEN
- THE DEVIL ON WHEELS

# 'Island' Dual At $25,700 in Los Angeles

Los Angeles, April 5.—"Blackwell's Island" and "The Higgins Family" grossed a total of $25,700 at two houses, $12,200 at the Warner Hollywood and $13,500 at the Warner Downtown.

"The Lady Vanishes" took $4,100 in the second week at the 4 Star, and "Love Affair" and "Spirit of Culver" drew $6,800 at the Hillstreet and $7,200 at the Pantages in the third week.

Estimated takings for the week ending April 5:

**"Tail Spin" (20th-Fox)**
**"The Three Musketeers" (20th-Fox)**
CHINESE—(2,500) (30c-75c) 7 days. Gross: $11,300. (Average, $12,500)
**"The Lady Vanishes" (G. B.)**
4 STAR—(900) (40c-55c) 7 days. 2d week. Gross: $4,100. (Average, $3,250)
**"Love Affair" (RKO)**
**"Spirit of Culver" (Univ.)**
HILLSTREET—(2,700) (30c-65c) 6 days. 3rd week. Gross: $6,800. (Average, $6,500)
**"Tail Spin" (20th-Fox)**
**"The Three Musketeers" (20th-Fox)**
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $14,700. (Average, $14,000)
**"Love Affair" (RKO)**
**"Spirit of Culver" (Univ.)**
PANTAGES—(3,000) (30c-65c) 6 days. 3rd week. Gross: $7,200. (Average, $7,000)
**"Midnight" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. 2nd week. Stage: F. & M. revue, Paramount Theatre orchestra. Gross: $12,500. (Average, $18,000)
**"Blackwell's Island" (W. B.)**
**"The Higgins Family" (Rep.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $12,200. (Average, $14,000)
**"Blackwell's Island" (W. B.)**
**"The Higgins Family" (Rep.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $13,500 (Average, $12,000)

### Change House Policy

Oklahoma City, April 5. — Circle here has become a second run house in the city circuit operated by Standard Theatres, Inc., according to Dee Fuller, manager. The change will mean that pictures appearing at the three downtown houses as first runs will be moved to the Tower the second week and the Circle for the next showing.

### Metro to Give Fair Trips

M-G-M will award free trips to the New York World's Fair to 10 employes, two to be chosen from each of the five leading offices at the end of the 1938-'39 "efficiency competition." The contest ends Aug. 31. Branch managers, office managers, salesmen and bookers are not eligible.

### RKO Promotes McCourt

Providence, April 5.—William J. McCourt has reported as acting manager of the RKO-Albee, coming from Boston where he had been assistant manager of the Keith Memorial. McCourt succeeds Harry McDonald, promoted by RKO to handle the New England district.

### Child Patrons Bring Fine

Montreal, April 5.—Two theatre managers, Arthur Bahen and Ciriac LaBelle, were fined $50 each here today by Judge Monety for admitting children under 16. "If the maximum were higher, I would impose it," the judge said in fining the managers.

### Delay Hearing on Ohio Censor Bill

**Columbus, O., April 5.—Hearing scheduled today by the Education Committee of the Ohio House on Representative Workins' bill to limit the power of the state censor, was postponed.**

**Hearing has been scheduled for next week on Representative Bixler's bill to abolish the censor board, which is believed to have little chance. At that time P. J. Wood, secretary of the Ohio I.T.O., will offer a substitute measure exempting newsreels from censorship.**

### Williams Adds 7 in Oklahoma, Arkansas

Oklahoma City, April 5.—Seven more theatres have been added to the newly formed circuit headed by K. Lee Williams. Williams now has bought ten houses in Arkansas and Oklahoma to be operated under the K. Lee Williams Theatres, Inc.

The additional seven theatres acquired by Williams are the New, Liberty and Gem in Nashville, Ark.; Best, Tower and Arrow in Broken Bow, Okla.; the Dixie at Ashdown, Ark. Since Jan. 1 Williams also has acquired two theatres in Dequeen, Ark., and the Pine at Dierks, Ark. He already has control of the Dequeen houses and will take over the Pine on April 15, he said.

### National Canadian Censorship Urged

Toronto, April 5. — With the establishment of the National Film Board by the Dominion Government assured by Act of Parliament, the first outside suggestion for the widening of the scope of the commission has come from the Prairie Provinces in the proposal for national censorship to replace the work now being done by the Provincial boards across the continent. There is the probability, however, that the Province of Quebec would oppose such a move.

### Huhnke to Monogram

Omaha, April 5.—Elmer Huhnke has been named sales manager for Monogram here.

# 'Honest Man' Hits $9,000 in Denver; 'Midnight' Strong

Denver, April 5.—"You Can't Cheat an Honest Man" drew a strong $9,000 at the Denver. "Midnight" was excellent with $5,900 in four days of the third week at the Denham, and "Sergeant Madden" and "Next Time I Marry" did well with $8,800 at the Orpheum.

Estimated takings for the week ending April 5:

**"Yes, My Darling Daughter" (W.B.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
**"Ice Follies of 1939" (M-G-M)**
**"The Saint Strikes Back" (RKO)**
BROADWAY — (1,100) (25c-40c) 7 days. 2nd week. Gross: $2,500. (Average, $2,500)
**"Midnight" (Para.)**
DENHAM—(1,750) (25c-40c) 4 days. 3rd week. Gross: $5,900.
**"Persons in Hiding" (Para.)**
DENHAM—(1,750) (25c-40c) 3 days. Gross: $3,000. (Average for week, $6,000)
**"You Can't Cheat an Honest Man" (Univ.)**
DENVER—(2,525) (25c-40c) 7 days. Gross: $9,000. (Average, $8,500)
**"Sergeant Madden" (M-G-M)**
**"Next Time I Marry" (RKO)**
ORPHEUM — (2,600) (25c-40c) 7 days. Gross: $8,800. (Average, $8,000)
**"The Lady and the Mob" (Col.)**
**"Dark Rapture" (Univ.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)
**"Topper Takes a Trip" (U.A.)**
**"Inside Story" (20th-Fox)**
RIALTO—(878) (25c-40c) 7 days. "Topper" 3rd week. Gross: $1,750. (Average, $1,750.)

### 'Prison' Is Buffalo Leader with $10,600

Buffalo, April 5.—Great Lakes teamed "Prison Without Bars" with "Never Say Die" and drew $10,600.

"Love Affair" took $12,500 at the Buffalo. The six-day bicycle race provided competition.

Estimated takings for the week ending April 1:

**"Love Affair" (RKO)**
BUFFALO—(3,000) (30c-55c) 7 days. Gross: $12,500. (Average, $12,000)
**"Prison Without Bars" (U. A.)**
**"Never Say Die" (Para.)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $10,600. (Average, $7,500)
**"Fast and Loose" (M-G-M)**
**"One Third of a Nation" (Para.)**
HIPPODROME—(2,500) (25c-40c), 7 days. Gross: $6,000. (Average, $6,800)
**"While New York Sleeps" (20th-Fox)**
**"Arizona Wildcat" (20th-Fox)**
CENTURY—(3,000) (25c) 7 days. Gross: $5,300. (Average, $6,000)
**"The Strange Case of Dr. Meade" (Col.)**
**"Blondie Meets the Boss" (Col.)**
LAFAYETTE—(3,300) (25c) 7 days. Gross: $5,300. (Average, $6,300)

# Two Projectionist Bills Offered in Pennsylvania

Harrisburg, April 5.—Two projectionist bills were among the measures introduced just before the deadline in the lower house was reached.

One of the two bills offered by Assemblyman Boyd provides that as many projectionists must be employed in a projection room as there are machines. The second provides that inspectors of projection rooms must have at least 10 years' practical experience as projectionists.

Another measure that got in under the deadline was the so called divorcement bill. The measure imposes a penalty of $10,000 fine or imprisonment of not more than one year, or both, on distributors or producers of films who also own, control, manage or operate in whole or in part any film theatres within the state.

Three more measures affecting the industry were introduced. One provided an operator's permit fee of $500 and an annual license fee of $200 for each automatic vending machine operated in theatres. Another called for a tax of one cent for each 25-cent theatre ticket.

The third, also offered by Boyd, would require an asbestos or steel curtain and a main control lighting switchboard in every theatre of 800 or more seating capacity.

### Film Is Shown in Westminster Abbey

**London, April 5. — Films finally have entered Westminster Abbey, venerable ecclesiastical monument opposite the Houses of Parliament. "In Jerusalem," a film depicting the work of the bishopric in Jerusalem, h[illegible] been shown in the Abbey.**

# Johnston's Gift of Stock Is Reported

Washington, April 5.—Disposition by gift of 42,261 options for Monogram Pictures common stock in February by W. Ray Johnston, was reported by the Securities and Exchange Commission in its semi-monthly summary.

Johnston's divestment of options in February followed a similar disposition of 48,993 options in January, in which month, also, he acquired 68,130 options by purchase and sold 61,933. At the close of February, he held 6,197 options and 62,383 shares of common stock, it was shown.

The next largest film transactions shown in the summary were the acquisition of 22,220 shares of Loews, Inc., common, by David Bernstein, bringing his holdings to 29,300 shades, and a similar acquisition by J. Robert Rubin, who also reported disposition of 2,200 shares, and holdings at the close of February of 34,175 shares. A January report showed that Henry R. Winthrop, New York, acquired 100 shares of Loews common, his total holdings.

Other transactions in picture securities reported by the S.E.C. were as follows:

Acquisition of 7,782 shares of Consolidated Film Industries preferred stock by H. J. Yates, Jr., his total holdings; disposition in October, 1938, of 500 shares of Trans-Lux common by George H. Eichelberger, New York director, reducing his holdings to 500 shares; acquisition of 500 Universal Corp. common voting trust certificates by Daniel M. Sheaffer, Philadelphia director, bringing his holdings to 17,000 direct and 26,500 through Standard Capital Co., through which he also holds 111,283 voting trust certificate warrants, and disposition of 5,000 shares of Warner Brothers preferred by Harry M. Warner, reducing his holdings to 9,884 shares, together with 62,860 shares of common and 1,379,000 debentures.

### Arrested for Bank Night

Georgetown, Del., April 5.—Delaware State Police have made the first arrest since Bank Night was declared illegal in Delaware by the court at Wilmington several weeks ago. The first arrested was Manager Floyd Shear of the Laurel at Laurel. Shear was held under $500 on charges of giving away a ticket to the New York World's Fair in an alleged lottery.

### Union Decision Reserved

Wilmington, April 5.—Decision was reserved on the petition of the Rialto Theatre Co., here for a temporary injunction, pending final hearing, to restrain Projectionists' Local 473, from picketing the New Rialto.

# A SENSATIONAL RUN GETS MORE SENSATIONAL!

# TUESDAY, 5TH DAY OF ROXY RUN, TOPS EVEN THE SMASH OPENING DAY!

***And remember, this is Holy Week!***

**LONG DISTANCE CALL FROM SAN FRANCISCO:**

**"Alexander Graham Bell" opening is one of the biggest in the history of the Paramount Theatre.**

DARRYL F. ZANUCK'S Production of

## THE STORY OF ALEXANDER GRAHAM BELL

20th CENTURY FOX

**THE KEYSTONE OF YOUR FUTURE**

# 'Island' Hits Big $21,000, Philadelphia

Philadelphia, April 5. — Biggest gross, $21,000, was recorded by the stage-screen bill at the Fox, with "Blackwell's Island" as the film and Al Donahue Band and Joan Davis on the stage.

"Midnight," at the Aldine, was strong at $11,500. "Three Smart Girls Grow Up" at the Stanley took $16,500.

Estimated takings for the week ending March 30:

**"Midnight" (Para.)**
ALDINE—(1,300) (32c-42c-57c) 7 days. Gross: $11,500. (Average, $8,160)

**"Pygmalion" (M-G-M)**
ARCADIA—(600) (26c-42c-57c) 8 days, 3rd week. Gross: $2,800. (Average, 7 days, $2,800)

**"Love Affair" (RKO)**
BOYD—(2,400) (32c-42c-57c) 7 days, 2nd week. Gross: $11,000. (Average, $14,000)

**"Yes, My Darling Daughter" (W. B.)**
EARLE—(2,000) (26c-42c) 7 days. Gross: $6,400. (Average, $8,000)

**"Blackwell's Island" (W. B.)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days. Stage: Al Donahue Band, Joan Davis. Gross: $21,000. (Average, $16,000)

**"You Can't Cheat An Honest Man" (Univ.)**
KARLTON—(1,000) (26c-42c-57c) 7 days. Gross: $3,200. (Average, $4,000)

**"Oklahoma Kid" (W. B.)**
KEITH'S—(2,000) (26c-42c-57c) 7 days. Gross: $3,400. (Average, $4,000)

**"Blondie Meets the Boss' (Col.)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $4,500. (Average, $4,500)

**"Three Smart Girls Grow Up" (Univ.)**
STANLEY—(3,700) (32c-42c-57c) 7 days. Gross: $16,500. (Average, $14,000)

**"Flying Irishman" (RKO)**
STANTON—(1,700) (26c-32c-42c) 4 days. Gross: $1,700. (Average, 7 days, $7,000)

# 'Love Affair' in Washington Pulls A Strong $18,500

Washington, April 5.—"Love Affair" gave RKO-Keith's its best week in a long while, with $18,500, despite an unseasonable stretch of warm weather.

Shirley Ross, in a personal appearance, helped pull "King of the Turf" over the top at Warners' Earle, where the gross was $16,500.

Estimated takings for the week ending March 30:

**"Wife, Husband and Friend" (20th-Fox)**
LOEW'S CAPITOL—(3,434) (25c-65c) 7 days. Stage: Buddy Clark. Gross: $15,000. (Average, $16,500)

**"Pygmalion" (M-G-M)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days, 3rd week. Gross: $5,300. (Average, $4,500)

**"The Little Princess" (20th-Fox)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $10,500. (Average, $12,000)

**"Love Affair" (RKO)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. Gross: $18,500. (Average, $6,000)

**"King of the Turf" (M-G-M)**
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage: Shirley Ross. Gross: $16,500. (Average, $16,000)

**"The Oklahoma Kid" (W. B.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 2nd run, 7 days. Gross: $3,000. (Average, $4,000)

## *Heads Universal Branch*

Omaha, April 5.—Otto Siegel of Buffalo has been named manager of the Universal exchange here, succeeding Roy Palmquist, who will be transferred to Kansas City.

# *Hollywood Preview*

## *"The Kid from Texas"*

*(MGM)*

Hollywood, April 5.—Basically "The Kid from Texas" is a comedy romance with the thrills of a bizarre polo match and the action and excitement of a wild west story. It is the second of the sports series in which Dennis O'Keefe is the star. Florence Rice is featured with him in this production and the supporting cast includes Anthony Allen, Jessie Ralph, Buddy Ebsen, Virginia Dale, Robert Wilcox, Jack Carson, Helen Lynd, J. M. Kerrigan and Tully Marshall.

Aiming his first film for popular entertainment, producer Edgar Selwyn has chosen a story that relates the experiences of a Texas cowhand who crashes society, beats it at its own pet game of polo and runs off with its prize debutante. The piece, which is both adventurous and romantic, is based on an original story of Milton Merlin and Byron Morgan for which Florence Ryerson, Edgar Allan Woolf and Albert Mannheimer did the screenplay.

Exiled from the swank Long Island social set because of the rough manner in which he plays polo and the manner in which he treats Miss Rice, the girl he wants to love him, cowhand O'Keefe joins up with a threadbare rodeo. Romantic complications ensue when the show's owner, Miss Dale, falls for him and his glib line. Climax of both action and romance follows after a farcical cowboy-and-Indian versus social registerite polo game, which O'Keefe's team accidentally wins. But Miss Dale steps aside in favor of Miss Rice.

Running time, 70 minutes. "G."* G. McC.

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*"G" denotes general classification.*

# *Out Hollywood Way*

Hollywood, April 5. — Otto Kruger will appear opposite Frieda Inescort in "All the Tomorrows," which Sidney Salkow will direct for Republic. Sol C. Siegel is the associate producer . . . Warners is preparing "The Life of Dr. Ehrlich," as an Edward G. Robinson vehicle. Norman Burnstine and Heinz Herald have written the first draft of the story . . . Jean Arthur, James Stewart, Edward Arnold, Guy Kibbee and Eugene Pallette top the cast of Capra-Columbia's "Mr. Smith Goes to Washington" . . . Bruno Frank has been signed by RKO to do the adaptation of "The Hunchback of Notre Dame" . . . Marie Wilson and Bert Wheeler top the cast of Warners' "Light-Horse Harry" . . . Martha Raye and Joe E. Brown will be starred in Paramount's "Thousand Dollars a Touchdown," football picture . . . June Storey has been signed to a long term contract by Republic and her next picture will be "Colorado Sunset," opposite Gene Autry.

✚

Warners' "Dead End Kids" will be starred in "The Dead End Kids at College," story of freshman football . . . Republic's next serial will be "Daredevils of the Red Circle" . . . Samuel Kurson, head of the Graphic Theatres Circuit of Bangor, Me., is visiting Hollywood . . . Edgar Kennedy has reported to RKO to star in the final two-reel comedy for the current season's program . . . Crane Wilbur, who will direct "Bill of Rights," Warners short, will also appear in the film . . . Gretchen Messer, Paramount publicity department fashion editor, is convalescing following an operation at Hollywood Hospital . . . Warners has scheduled Lya Lys for a featured role in "Beethoven," in which Paul Muni will star.

✚

*Casting*—Roland Young to "Heaven on a Shoestring," formerly titled "Happy Ending" at Paramount . . . Roscoe Ates and Ralph Graves to "Three Texas Steers," Republic . . . Lucien Littlefield and Hedda Hopper to "What a Life," Paramount . . . Monte Blue to "Geronimo," Paramount.

## *Gas Levy in Ontario Obviates Ticket Tax*

Toronto, April 5.—Ontario Legislature has given immediate effect to an increase in the tax on gasoline as a means of obtaining more revenue, the enactment being sponsored by Premier M. F. Hepburn.

This step has put at rest all thought of a revival of the amusement tax for theatre patrons of Ontario, although this had been urged by the City Council of Windsor and from other sources. The indications are that exhibitors of the Province will go through another year without the nuisance levy.

## *Naval Film Company Started in England*

London, April 5. — With a film show in a hangar of the *Ark Royal,* giant aeroplane carrier of Britain's fleet, the Royal Naval Film Corp. has started activity.

The company was inaugurated some time ago to distribute films for the entertainment of navy men at sea, and has the cooperation of English and American film distributors. Films are distributed gratuitously and are shown on apparatus purchased from G. B. Equipments.

# 'Madden' Is Frisco's Best With $13,000

San Francisco, April 5. — "Sergeant Madden" teamed with "Fast [illegible] Loose" for the best box-office mark of the week, with $13,000 at the Paramount.

"Midnight" and "King of Chinatown" drew a good $15,500 at the Fox, with "Love Affair" drawing a strong $13,500 in the second week at the Golden Gate. "The Story of a Cheat" grossed $625 in the fourth week at the Clay and continued its run.

Estimated takings for the week ending March 28-31:

**"Love Affair" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: vaudeville. Gross: $13,500. (Average, $15,000)

**"Made for Each Other" (U.A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65c) 7 days, 3rd week. Gross: $6,600. (Average, $8,000)

**"Blondie Meets the Boss" (Col.)**
**"Risky Business" (Univ.)**
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days. Gross: $7,800. (Average, $8,000)

**"Midnight" (Para.)**
**"King of Chinatown" (Para.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days. Gross: $15,500. (Average, $16,000)

**"Sergeant Madden" (M-G-M)**
**"Fast and Loose" (M-G-M)**
PARAMOUNT — (2,740) (15c-35c-40c-55c-75c) 7 days. Gross: $13,000. (Average, $11,500)

**"Oklahoma Kid" (W.B.)**
**"My Wife's Relatives" (Rep.)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $6,200. (Average, $6,000)

**"The Little Princess" (20th-Fox)**
**"Winner Take All" (20th-Fox)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)

**"The Story of a Cheat" (Gallic)**
CLAY—(400) (15c-35c-40c) 7 days, 4th week. Gross: $625. (Average, $1,000)

**"The Cantor's Son" (New Star)**
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $850. (Average, $1,000)

# 'Huckleberry Finn' Leads Parade with $12,500, Cleveland

Cleveland, April 5.—"Huckleberry Finn" came through at Loew's State with $12,500. "Love Affair at Warners' Hippodrome had $11,000. The RKO Palace, playing "Blackwell's Island" on the screen and Larry Clinton on the stage, drew $15,000. "Oklahoma Kid" at the Allen in its second week did $5,000. The weather was mostly fair.

Estimated takings for the week ending March 31:

**"Oklahoma Kid" (W. B.)**
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

**"Love Affair" (RKO)**
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $11,000. (Average, $12,000)

**"Blackwell's Island" (W. B.)**
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Larry Clinton Orchestra with Bea Wain. Gross: $15,000. (Average $15,000)

**"Huckleberry Finn" (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,500. (Average, $13,000)

**"Within the Law" (M-G-M)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $2,000. (Average $4,000)

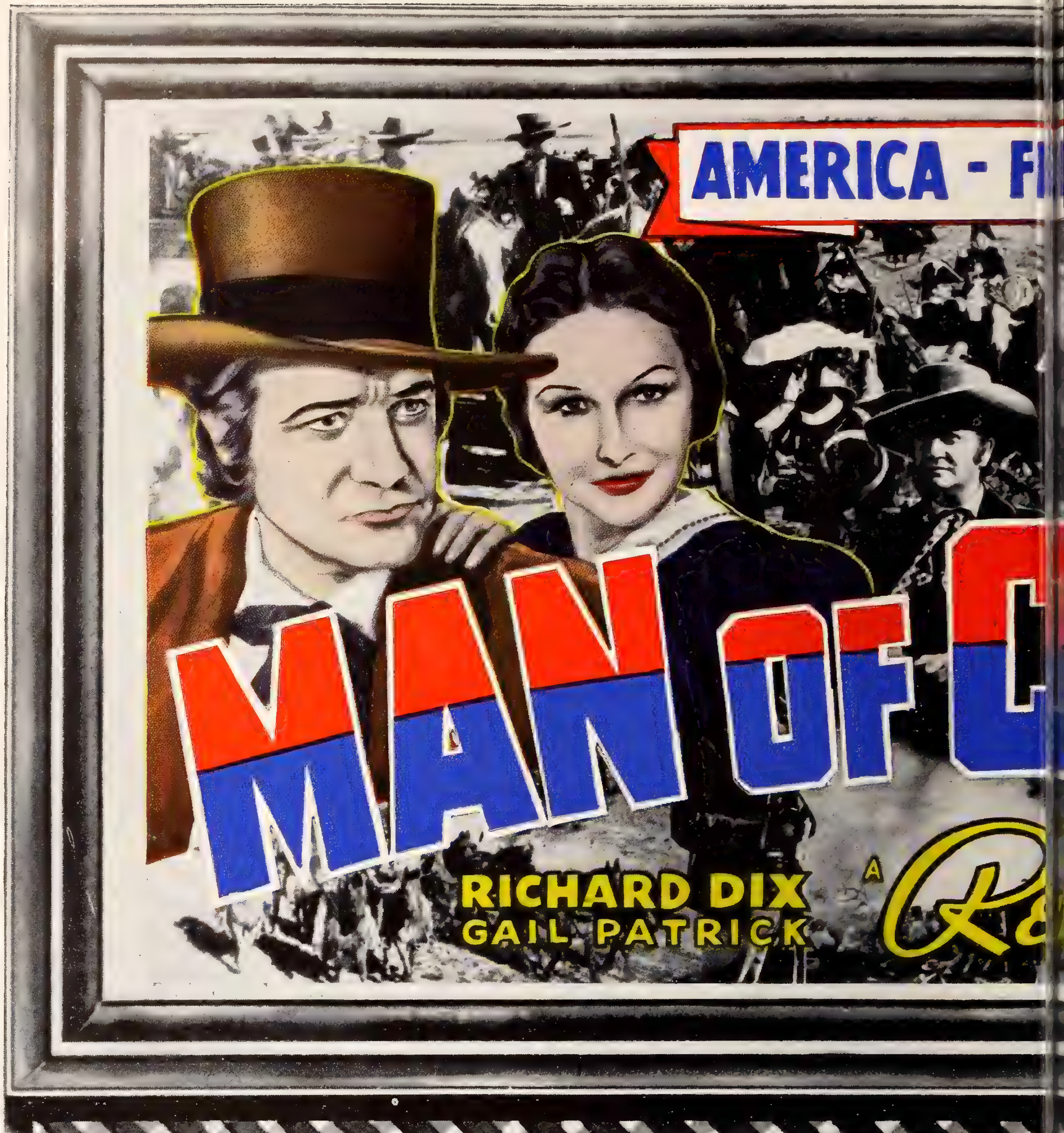
**"Forbidden Music" (Unity)**
CITY—(485) (35c-42c) 7 days. Gross $900. (Average, $1,200)

# THE EYES

# OF THE NATION

*AS IN 1836*

# ARE ON TEXAS!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*with* **VICTOR JORY · ROB**
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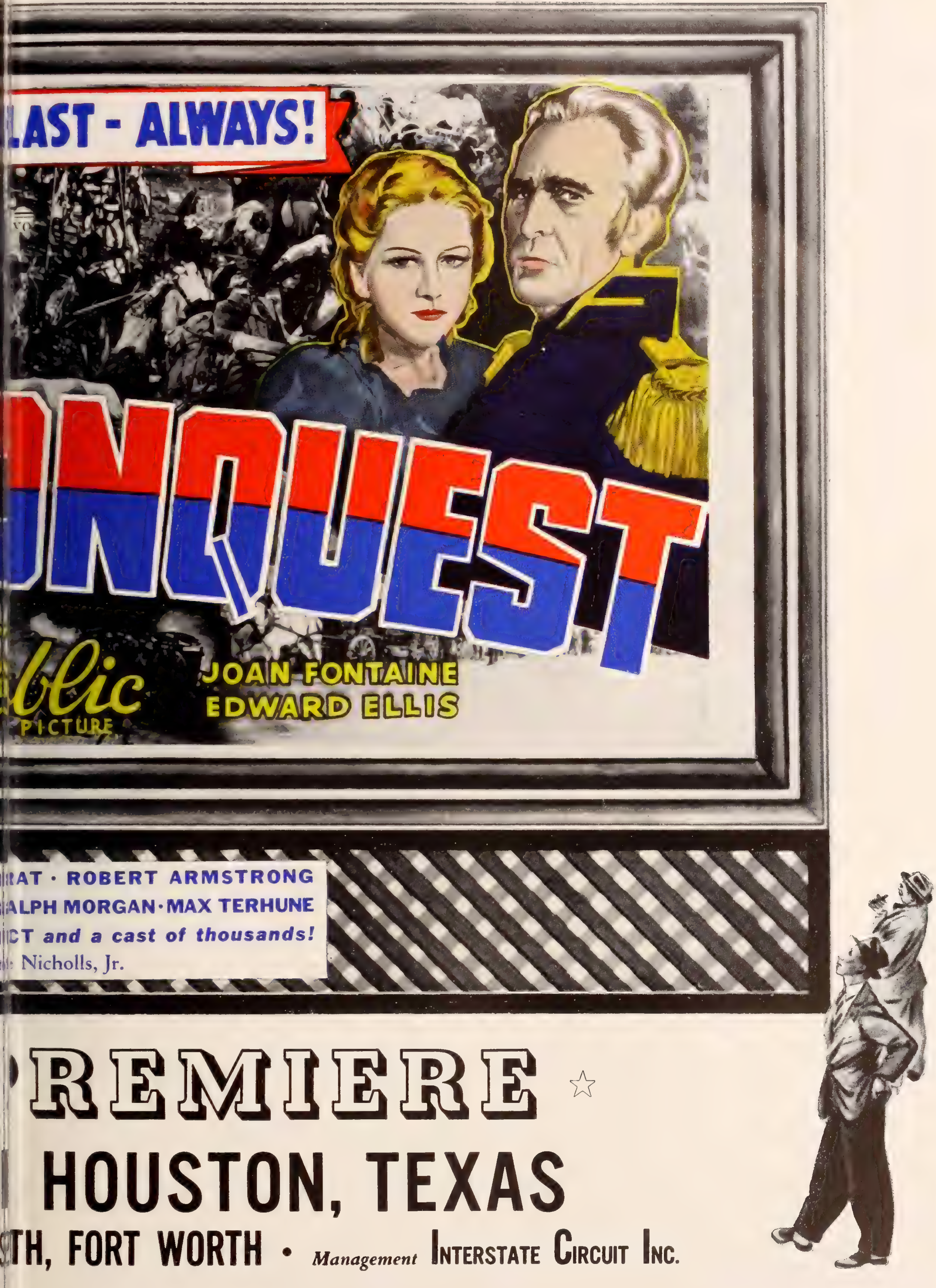
**JANET BEECHER · BILLI**
*Direct*

# ☆ WORLD

# MAJESTIC THEAT

**AZTEC, SAN ANTONIO · MAJESTIC, DALLAS**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PICTURE
JOAN FONTAINE
EDWARD ELLIS
RAT · ROBERT ARMSTRONG
ALPH MORGAN · MAX TERHUNE
CT and a cast of thousands!
Nicholls, Jr.

# PREMIERE ☆

# HOUSTON, TEXAS

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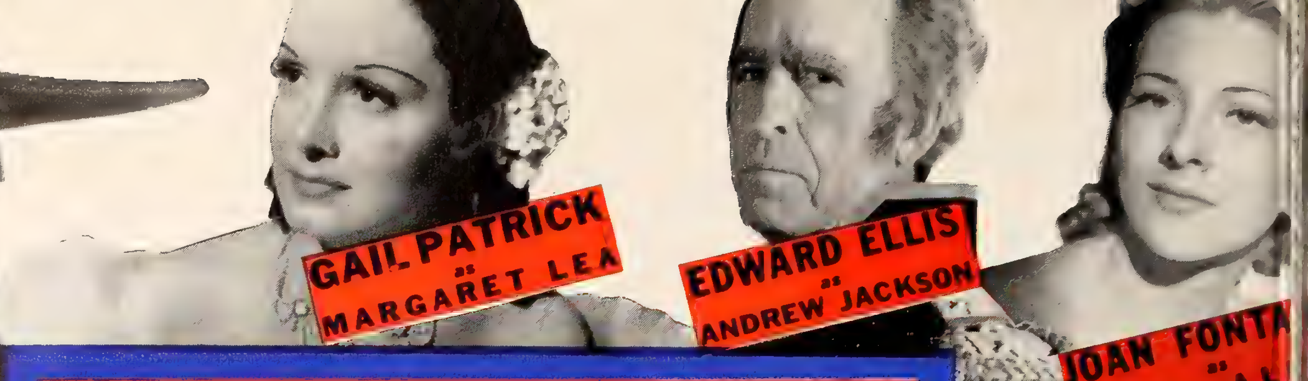
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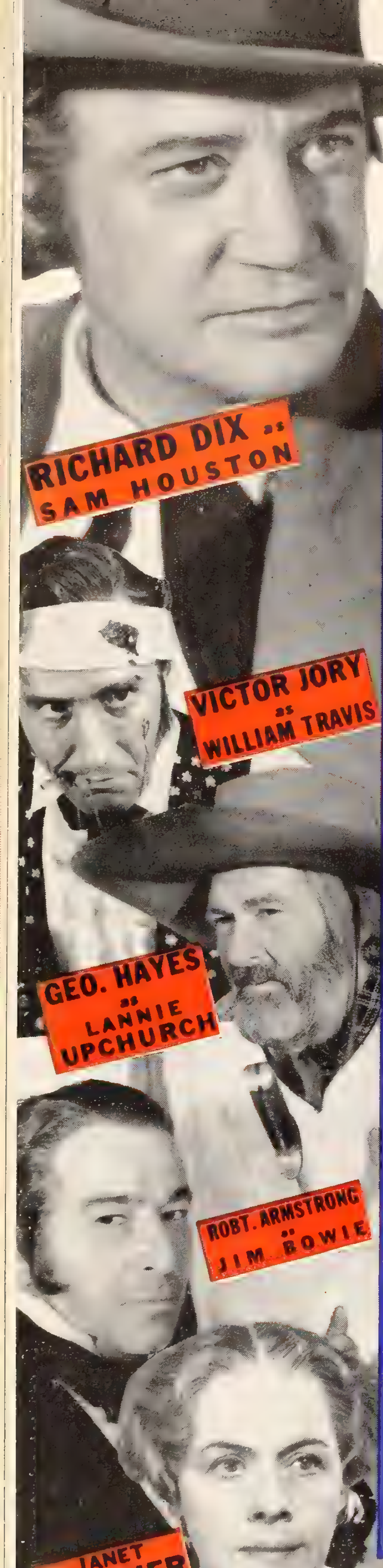
RICHARD DIX as
SAM HOUSTON
VICTOR JORY
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WILLIAM TRAVIS
GEO. HAYES
as
LANNIE
UPCHURCH
ROBT. ARMSTRONG
as
JIM BOWIE
JANET
BEECHER
as
MRS. LEA

# THE DRAMATIC STORY of "MAN OF CONQUEST"

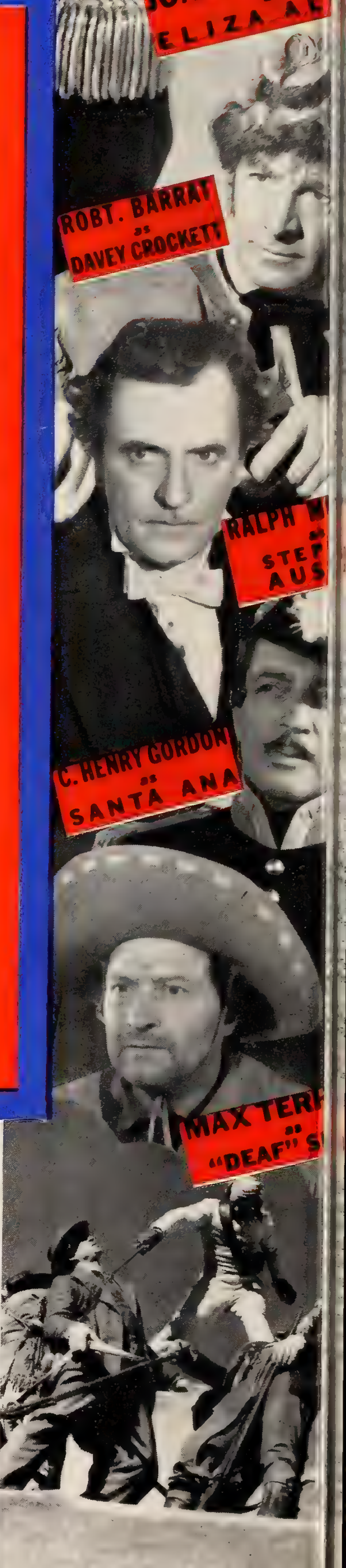
After spending much of his youth with the friendly Cherokee Indians, Sam Houston enlists with General Jackson and is severely wounded while leading a charge at the battle of Horseshoe Bend. Jackson commends him for his gallantry, and a life-long friendship is formed. Jackson is elected to the Presidency and Houston becomes Governor of Tennessee. On the eve of Houston's re-election, he marries Eliza Allen but after many misunderstandings they separate. Houston resigns in the face of the scandal, goes into a long debauch and returns to the Cherokee Nation.

He goes to Washington to protest the treatment of the Cherokees by the government, and there meets Margaret Lea at a Presidential ball. Jackson persuades Houston to go to Texas, where he meets Margaret Lea again. Jim Bowie and Davey Crockett decline to join Houston in a fight to free Texas. They are loyal to peace-loving Stephen Austin, who refuses to enter into war with Mexico. Word is brought that the Mexican Army is marching across Texas, killing and plundering. Austin is convinced that Texas must fight and Houston agrees to lead the army.

The Mexicans attack the Alamo and Crockett, Bowie, Travis and others perish. Houston riding to re-inforce this garrison arrives too late. Thus the cry, "Remember the Alamo!" is born. At San Jacinto, Houston outsmarts the enemy and with a handful of troups routs the Mexican Army, thereby establishing the independence of Texas.

Houston is elected first president of the new Republic, and, with Margaret Lea, now his wife, he watches the Lone Star come down and the Stars and Stripes raised on the capitol flagpole, signifying the annexation of Texas into the Union.

Back in Tennessee, Andrew Jackson, dying, hears the news and whispers, "All is safe at last. My old friend and companion in arms . . . has been true to his trust."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"DEAF" S

FALL OF THE ALAMO!

## Society,' Band Kansas City High, Grossing $8,900

KANSAS CITY, April 5.—"Society nugglers" and Louis Armstrong at e Fox Tower did $8,900, for the best ng. Bright spot was "Pyg- alion," in its third first run week, hich gave the Esquire $2,500, and as held for a fourth week. The eather was unfavorable and competi- on was severe.

Estimated takings for the week end- g March 29-30:

**'m from Missouri" (Para.)**
NEWMAN—(1,900) (25c-40c) 7 days, 2nd eek. Gross: $6,700. (Average, $7,000)
**ygmalion" (M-G-M)**
ESQUIRE—(800) (25c-40c) 7 days, 3rd eek. Gross: $2,500. (Average, $3,000)
**ce Follies of 1939" (M-G-M)**
**et Us Live" (Col.)**
MIDLAND—(4,000), (25c-40c) 7 days. ross: $8,600. (Average, $11,500)
**ove Affair" (RKO)**
ORPHEUM—(1,500) (25c-40c) 2nd week. ross: $4,300. (Average, $5,000)
**ociety Smugglers" (Univ.)**
FOX TOWER—(2,200) (25c-35c-55c) 7 ys. Stage: Louis Armstrong and his and, featuring Sonny Woods, Midge Wil- ams, Red Allen and Louis Russell. Gross: ,100. (Average, $8,000)
**Spirit of Culver" (Univ.)**
**Risky Business" (Univ.)**
UPTOWN—(2,000) (25c-40c) 7 days, 2nd eek. Gross: $1,900. (Average, $3,500)

## Ice Follies' Hits $8,500, Montreal

MONTREAL, April 5.—"Pygmalion" rossed $6,500 in its second week at oew's. "Ice Follies of 1939" regis- ered $8,500 at the Palace, and "You an't Cheat an Honest Man" on a ouble bill at the Capitol brought 7,000.

"The Lost Patrol" and "Star of idnight" turned $3,500 at the rpheum.

Estimated takings for the week end- ig April 1:

**You Can't Cheat An Honest Man" (Univ.)**
**Newsboys' Home" (Univ.)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 ays. Gross: $7,000. (Average, $8,000)
**Pygmalion" (M-G-M)**
LOEW'S—(2,800) (30c-40c-60c) 7 days. ross: $6,500, 2nd week. (Average, $7,000)
**The Lost Patrol" (RKO)**
**Star of Midnight" (RKO)**
ORPHEUM—(919) (25c-35c-50c) 7 days. ross: $3,500. (Average, $5,000)
**Pacific Liner" (RKO)**
**Fisherman's Wharf" (RKO)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 ays. Gross: $4,500. (Average, $6,500)
**Ice Follies of 1939" (M-G-M)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. ross: $8,500. (Average, $10,000)

## *M-G-M Shifts Salesmen*

Julian King, M-G-M salesman in enver, has been transferred to Chi- ago, where he succeeds Ted Men- elssohn. Dan Foley, student sales- nan in Kansas City, succeeds King in enver. King formerly was a sales- nan in Kansas City. Vernon G. mith, student booker, has been pro- noted to booker in Minneapolis, suc- eeding Stephen G. Hollander, re- igned.

## *Cut Columbus Prices*

COLUMBUS, April 5.—RKO Majes- ic, playing double features, has in- ugurated bargain prices for Satur- lay and Sunday, with a 15-cent scale ntil 2 P. M., 20 cents until 5 P. M., nd 25 cents until closing.

# *Theatre Changes*

### PLAN THREE IN OHIO

CANTON, O., April 5.—New theatre construction in eastern Ohio is looking up, with three houses in the middle bracket class definitely set to be built during the next 90 days, all in the smaller towns.

Inter-State Theatres, Inc., of which A. G. Constant of Steubenville is president, plans a $60,000 theatre at North Canton, to be completed by late summer. George A. Delis, district manager of the group, will be interested financially in the new house, to seat 750.

Construction of a house at Minerva is planned by the Manos Amusement Co. of Toronto. It will seat 900 and work is expected to be started soon. Manos operates seven other theatres in the district. Kemper Theatres, Inc., Shelby, plans a new 550-seat theatre at Crestline, to cost approximately $30,000.

### MONARD HAS SHUBERT

Shubert, Brooklyn, is now being operated under a vaudeville and film policy by Monard Theatre Corp. (Al Mackler).

### REOPEN IN ELIZABETH

After being closed for many years, the Capitol, Elizabeth, N. J., has been reopened by A. N. S. Theatres, Inc. (A. Andrewski).

### CLOSE IN YONKERS

The Cameo, Yonkers, is closed.

### HOWARD IS REOPENED

Howard, Howard Beach, L. I., has been reopened by Murray Ginsburg and Anthony Bannon.

### TAKES BRONX HOUSE

Bona Theatre Corp., (George Stamatis, president) is the new operator of the Tremont, Bronx.

### OZONE PARK SHIFT

New operator of the Farrell, Ozone Park, L. I., is the Henrietta Amusement Co. (Sidney & Albert Traun).

### LINCOLN RESUMES

Lincoln, Manhattan, has been reopened by Redleff Exhibition Co. (Max Felder).

### TAUNTON HOUSE BURNS

TAUNTON, Mass., April 5.—Fire recently destroyed the Strand here, with a loss estimated at $75,000. The house was leased by Julius Jolson of Somerville, Mass.

### TO REOPEN NAVARRE

Arnold Rubin has opened his newly acquired Navarre.

### BUY IN NEBRASKA

PIERCE, Neb., April 5.—Mr. and Mrs. C. A. Craig, Seymour, Ia., have purchased the Strand here. The house will be extensively remodeled. Ortell Homer formerly operated the theatre.

### PLAN NEBRASKA HOUSE

OMAHA, April 5.—Plans for the construction of a new theatre for O'Neill, Neb., are being completed. The building will be built by Mr. and Mrs. Sumner Downey, who will lease to Mrs. Georgia O. Rasley, operator of the Royal.

### PLAN CHICAGO THEATRE

CHICAGO, April 5.—A new theatre, to be named the Galewood, will be built here, at a cost of $300,000. J. C. Jensen is president of the company, which will be known as the North-Nagle Building Corp.

### NEW ARKANSAS THEATRE

OKLAHOMA CITY, April 5.—K. Lee Williams, manager of the K. Lee Williams Exchange, Inc., here, has opened the DeQueen in DeQueen, Ark.

### REOPENS IN NEBRASKA

FAIRFIELD, Neb., April 5.—F. W. Anderson has reopened the Joyo here. It has been closed for the past year.

### IOWA HOUSE OPENS

WALNUT, Ia., April 5.—Strand here has been reopened by Roy S. Werky.

### PLAN CONN. HOUSE

JEWETT CITY, Conn., April 5.—Joseph Quittner and Peter Perakos plan a new 750-seat theatre, to be completed in August.

### ACQUIRES AVALON

INDIANAPOLIS, April 5.—Abe Nathanson has acquired the Avalon, formerly operated by Jacob Friedman, and Charles Tamler has sold the Tacoma to William Ackerman.

### BUYS IN WISCONSIN

BRILLION, Wis., April 5.—J. J. Ecker, who has been showing films at the Auditorium here with Ray Pfeiffer, has purchased the building and will modernize it this summer into a first class theatre.

### START HOUSE IN OHIO

PAINESVILLE, O., April 5.—Construction of a new 1,000-seat theatre has been started for A. G. Schwartz and J. H. Schulman of Cleveland.

### TO BUILD IN SHELBY

SHELBY, N. C., April 5.—George Washburn will erect a $30,000 theatre here to seat 550. J. A. Reynolds of the Carolina, has signed a long term lease.

### PLAN TORONTO HOUSE

TORONTO, April 5.—Morris Dennis, identified with Associated Theatres, plans a $35,000 theatre in the North End. Bloom and Fine Theatres, Ltd., will improve the Grover at a cost of $6,000.

### N. C. HOUSE PLANNED

WILSON, N. C., April 5.—A new theatre will be erected here for North Carolina Theatres, Inc., of Charlotte. The new house, to cost about $100,000, will be the largest theatre in Wilson.

### BUYS KANSAS HOUSE

JETMORE, Kan., April 5.—Howard Wilson has bought the Majestic here from Herman Lee.

### BUILD IN MOBILE

MOBILE, April 5.—Alex Gournaris, owner of three theatres in Greater Mobile, plans a theatre to cost $35,000.

### PITTSBURGH TRANSFERS

PITTSBURGH, April 5.—Loew's and Harris theatres have announced transfers. Nestor Auth goes to Columbus, Ohio, as assistant manager after serving as aide to Charles Kurtzmann at Loew's Penn here, with Albert Mullen getting Auth's local job. Manager Henry Miller of the Harris Family Theatre goes to Strand, Harris Youngstown house, with Harry Seigel taking the Family post.

### INTERSTATE ADDS

STEUBENVILLE, O., April 5.—Interstate Theatres, Inc., of which A. G. Constant is the executive head with headquarters here, will add a unit at North Canton, to be leased from the M. M. and J. B. Mohler Lumber Co., after completion at an estimated cost of $60,000.

### REOPEN IN TENAFLY

Tenafly, formerly the Bergen, Tenafly, N. J., is due to reopen April 8. Samuel Reinheimer's Tenafly Playhouses, Inc., will operate the house.

### REMODEL IN TORONTO

TORONTO, April 5.—Hollywood Theatre here, leading house of the 32 units of Theatre Holding Corp. in Ontario, is to close shortly for one month, for enlargement by 250 seats from the present capacity of 1,100.

### CLOSE IN PROVIDENCE

PROVIDENCE, April 5.—Playhouse, 1,290-seater leased and operated by Associated Theatres, has closed after operating since last fall as a film and vaudeville house.

### REBUILD IOWA HOUSE

CORYDON, Ia., April 5.—Wayne and Floyd Smith, owners of the Wayne here, have modernized the theatre.

### BUILD IN FLORIDA

BONIFAY, Fla., April 5.—Robert Parker plans a new theatre here. Work will get under way soon.

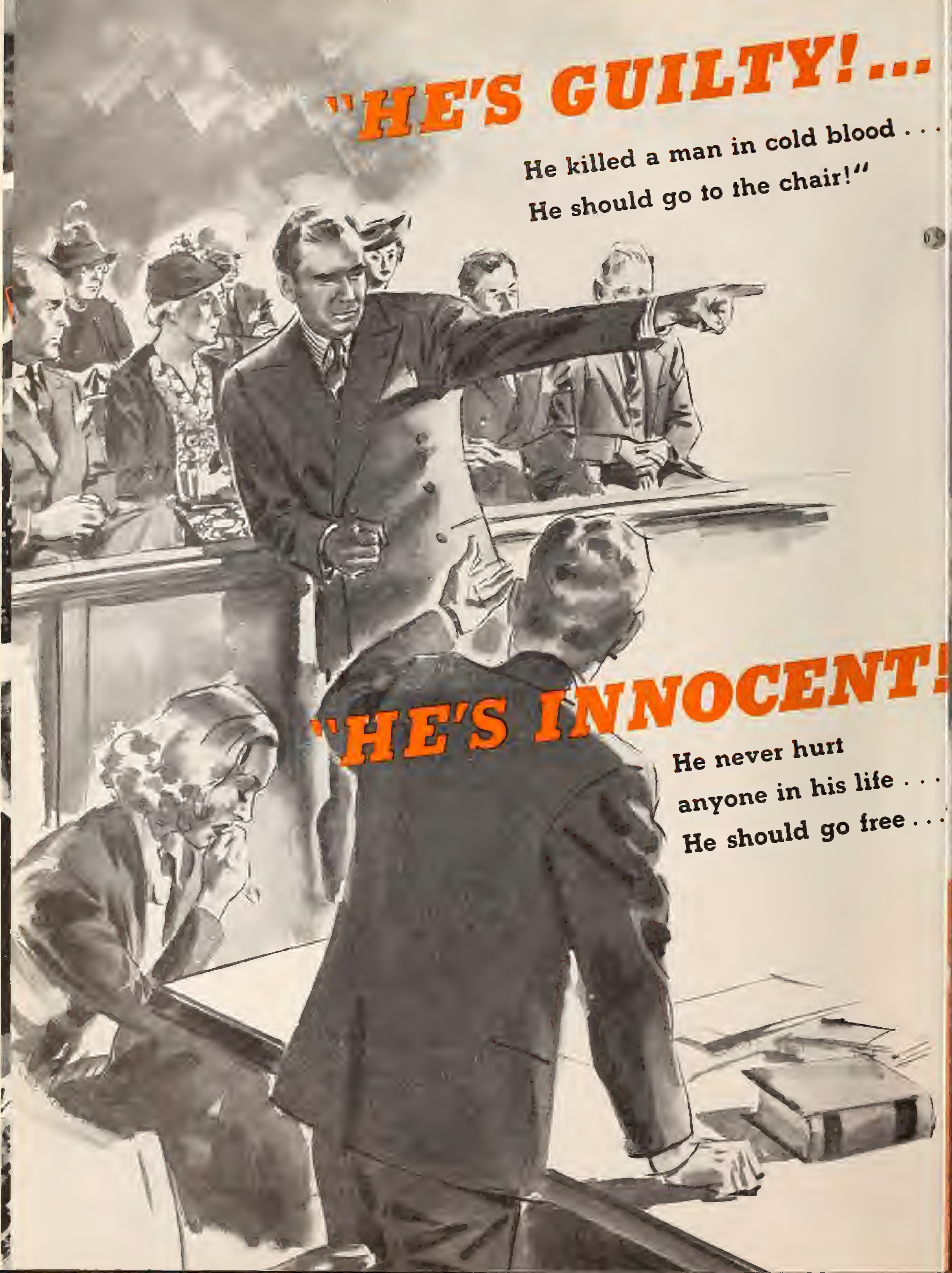
## Fifi D'Orsay and 'Society' $10,000 Milwaukee Gross

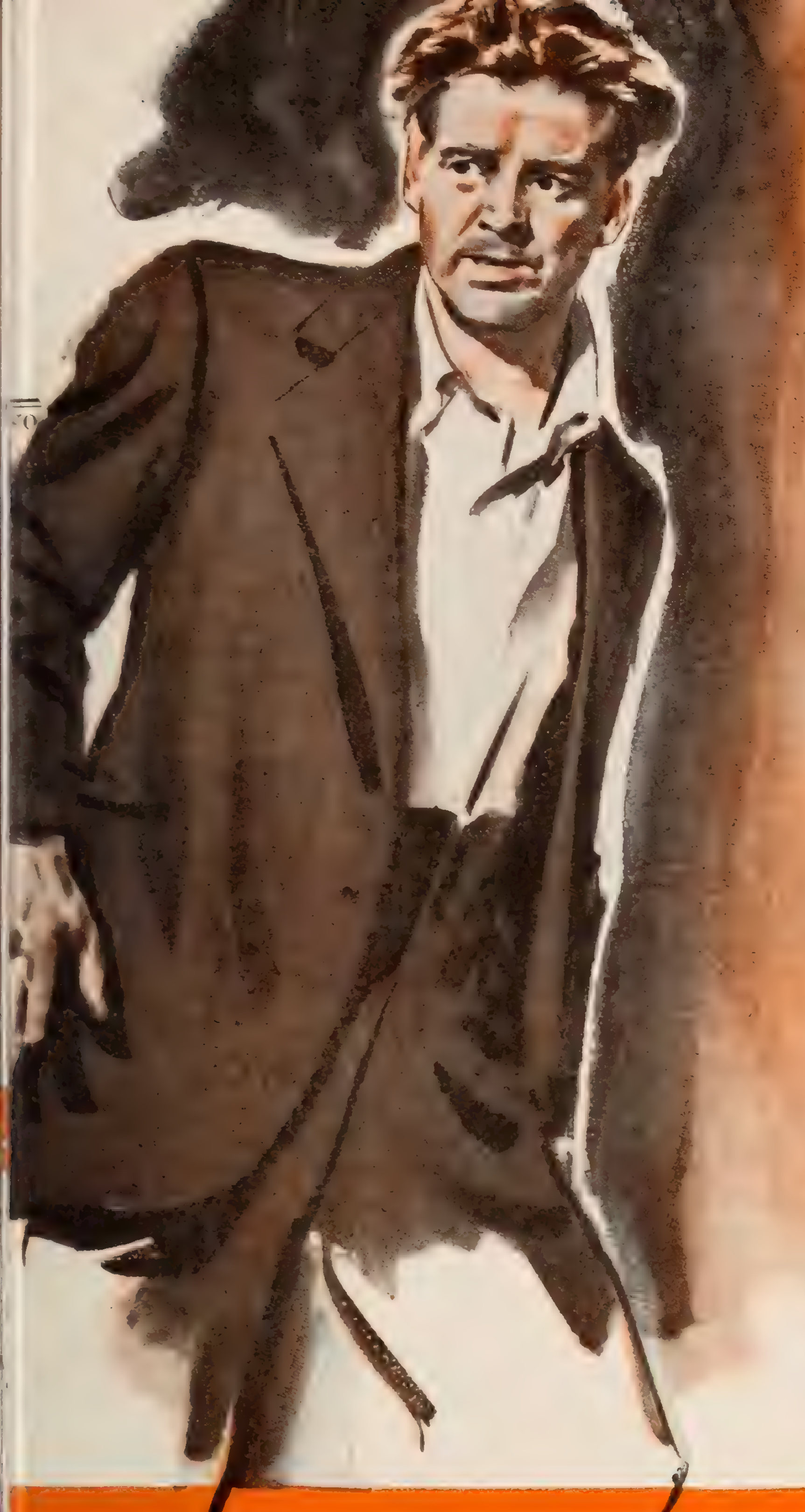
MILWAUKEE, April 5.—The week's high money went to the Riverside where Fifi D'Orsay in person and "Society Smugglers" on the screen collected $10,000.

Only other houses bettering average were the Warner, where "The Oklahoma Kid" and "The Flying Irishman" grossed $5,000 and Fox's Wisconsin, where "The Ice Follies of 1939" and "Within the Law" was good for $5,800.

Estimated takings for the week ending March 29-30:

**"Fast and Loose" (M-G-M)**
**"King of Chinatown" (Para.)**
PALACE—(2,400) (35c-50c) 6 days. Gross: $3,400. (Average, $4,000)
**"Society Smugglers" (Univ.)**
RIVERSIDE—(2,300) (25c-30c) 7 days. Stage: Fifi D'Orsay. Gross: $10,000. (Average, $5,000)
**"The Little Princess" (20th-Fox)**
**"Charlie Chan in Honolulu" (20th-Fox)**
**"Made for Each Other" (U. A.)**
**"The Great Man Votes" (RKO)**
STRAND—(1,400) (35c-50c) 5 days and 2 days (split bill). Gross: $1,600. (Average, $2,000)
**"The Oklahoma Kid" (W. B.)**
**"The Flying Irishman" (RKO)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $5,000. (Average, $4,500)
**"The Ice Follies of 1939" (M-G-M)**
**"Within the Law" (M-G-M)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $5,800. (Average, $5,500)


"HE'S GUILTY!...
He killed a man in cold blood . . .
He should go to the chair!"
"HE'S INNOCENT!
He never hurt
anyone in his life . . .
He should go free . . .



## ***JUDGE*** this man for yourself

Thrill to his amazing story, the most dramatic human document ever to thunder forth upon the screen . . .

**and you'll *JUDGE* . . . this the greatest screen drama of the year! . . .**

Bernard Steele presents

# "BACK DOOR TO HEAVEN"

with **Wallace Ford • Patricia Ellis • Stuart Erwin • Aline MacMahon**

Based on a Story by William K. Howard • Screen Play by John Bright and Robert Tasker • Produced and Directed by William K. Howard • A Paramount Release

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS | ED.—G. N. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| March 3 | | Pygmalion (G) (C)<br>*Leslie Howard*<br>*Wendy Hiller* | Mystery of Mr. Wong (G) (D)<br>*Boris Karloff*<br>Rollin' Westward | Cafe Society (G) (C)<br>*Carroll*<br>*MacMurray*<br>3826 | I Was a Convict (G) (D)<br>*MacLane*<br>*Roberts* | Twelve Crowded Hours (A) (D)<br>*Richard Dix*<br>*Lucille Ball* | Wife, Husband and Friend (G) (C)<br>*Loretta Young*<br>*Baxter* | | Risky Business (G) (D)<br>*George Murphy*<br>*Dorothea Kent* | Secret Service of the Air<br>*Ronald Reagan*<br>*John Litel*<br>*Ila Rhodes* | Renfrew Saves a Lady (Renfrew Series)<br>*James Newill*<br>(Feb. 10) |
| March 10 | Blondie Meets the Boss (G) (C)<br>*Arthur Lake* | Ice Follies of 1939 (G) (D)<br>*Crawford*<br>*Stewart*<br>*Lew Ayres* | Mystery Plane (G) (D)<br>*John Trent*<br>*Polly Ann Young* | The Beachcomber (A) (C)<br>*Laughton*<br>*Lanchester*<br>3863 | Rough Riders Round-Up (G) (O)<br>*Roy Rogers*<br>*Mary Hart* | The Saint Strikes Back (G) (D)<br>*George Sanders*<br>*Wendy Barrie* | Inside Story (G) (D)<br>*Michael Whalen*<br>*Jean Rogers* | Stagecoach (G) (O)<br>*Claire Trevor*<br>*John Wayne*<br>*Andy Devine* | Spirit of Culver (G) (D)<br>*Jackie Cooper*<br>*Bartholomew*<br>*Andy Devine* | The Oklahoma Kid (G) (D)<br>*Cagney*<br>*Bogart* | |
| March 17 | Lone Star Pioneers<br>*Bill Elliott*<br>*Dorothy Gulliver* | Within the Law (G) (D)<br>*Ruth Hussey*<br>*Rita Johnson* | Trigger Smith (O)<br>*Jack Randall* | King of Chinatown (G) (D)<br>*Anna May Wong*<br>*Tamiroff*<br>3827 | My Wife's Relatives (G) (C)<br>*Lucille, James and Russell Gleason* | | The Little Princess (G) (D)<br>*Shirley Temple*<br>*Richard Greene*<br>*Anita Louise* | Prison Without Bars (A) (D)<br>*Corinne Luchaire*<br>*Edna Best*<br>*Barry Barnes* | Mystery of the White Room<br>*Bruce Cabot*<br>*Helen Mack* | Adventures of Jane Arden (G) (D)<br>*Rosella Towne*<br>*William Gargan* | |
| March 24 | Whispering Enemies (G) (D)<br>*Jack Holt*<br>*Dolores Costello* | Sergeant Madden (G) (D)<br>*Wallace Beery* | | Midnight (G) (C)<br>*Colbert*<br>*Ameche*<br>3828 | | Trouble in Sundown (G) (O)<br>*O'Brien* | Everybody's Baby (A) (C)<br>*(Jones Family)* | | Three Smart Girls Grow Up (G) (C)<br>*Deanna Durbin*<br>*Winninger* | Blackwell's Island (G) (D)<br>*Garfield*<br>*Rosemary Lane* | |
| March 31 | North of the Yukon<br>*Starrett*<br>Romance of Redwoods (O)<br>*Bickford* | Society Lawyer (A) (D)<br>*Pidgeon*<br>*Bruce*<br>*Carrillo* | | Sudden Money (G) (C)<br>*Ruggles*<br>Silver on the Sage<br>*William Boyd* | Mexicali Rose (O)<br>*Gene Autry* | Almost a Gentleman (G) (D)<br>*James Ellison* | Hound of the Baskervilles (G) (D)<br>*Greene*<br>*Rathbone* | | Family Next Door<br>*Hugh Herbert*<br>*Joy Hodges* | On Trial (G) (D)<br>*John Litel*<br>*Margaret Lindsay* | |
| April 7 | The Lady and the Mob (G) (C)<br>*Fay Bainter*<br>*Ida Lupino* | Broadway Serenade<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | Undercover Agent<br>*Russell Gleason*<br>*Shirley Deane* | I'm From Missouri (G) (C)<br>*Bob Burns*<br>3830 | | Love Affair (G) (D)<br>*Boyer*<br>*Irene Dunne*<br>Flying Irishman (G) (D) | Mr. Moto in Danger Island (G) (D)<br>*Lorre*<br>*Hersholt* | | East Side of Heaven<br>*Bing Crosby*<br>*Joan Blondell*<br>*Mischa Auer* | Dodge City (G) (D)<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* | |
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas<br>*Denis O'Keefe*<br>*Rice* | Streets of New York<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders (O)<br>*John Wayne* | They Made Her a Spy (G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell (G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights (A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | | Women in the Wind (G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* | |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (O)<br>*Roy Rogers* | Fixer Dugan<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | | Big Town Czar<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* | |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare<br>*Lionel Barrymore*<br>*Lew Ayres* | Riders of the Rio Grande<br>*Jack Randall* | The Lady's from Kentucky<br>*Raft*<br>*Drew* | Street of Missing Men<br>*Bickford*<br>*Carey* | The Story of Vernon and Irene Castle<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid<br>*Baxter*<br>*Lynn Bari* | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | For Love or Money<br>*June Lang*<br>*Robert Kent* | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* | |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | | Racketeers of the Range (O)<br>*O'Brien* | Chasing Danger<br>*Foster*<br>*Lynn Bari* | Captain Fury<br>*Aherne*<br>*McLaglen* | Code of the Streets<br>*Harry Carey*<br>*Frankie Thoma* | Confessions of a Nazi Spy<br>*Robinson*<br>*Lederer* | |

## epublic Lists 50 Features for Year

(Continued from page 1)

rs. M. J. Siegel, production head, s arrived from the coast.

Among the authors the new pro- am are Sinclair Lewis, W. R. Bur- ett, R. D'Ennery, Armstrong Sperry, chmed Abdullah, Peter B. Kyne, t Ferber, Jack London, Louis Berg, k Scully, Mark Twain, George roadhurst and Richard Wormser.

### Schedule Four Serials

The serials are grouped as super- rials, including "The Lone Texas anger" and "Drums of Fu Manchu," 15 chapters each, and "streamline erials," including "King of the Royal ounted" and "Jimmy Valentine trikes Again," each 12 chapters.

The complete feature program for 939-'40 follows:

Four De Luxe Productions: "Seven illion Dollars," by Sinclair Lewis, ory of a small town "Babbitt" who etires with $7,000,000; "The Dark ommand" by W. R. Burnett, dealing ith the Quantrell Raiders in the per- d after the Civil War; "Two Or- hans," based on the French classic by . D'Ennery; "Wagons Westward" y Armstrong Sperry, story of the overed wagon days.

Six Anniversary Specials: "Lady om New Orleans" by Beth Brown, tory of New Orleans society against Mardi Gras background; "Tillie e Toiler," based on the cartoon strip y Russ Westover; "Storm Over ndia" by Achmed Abdullah, story of e British quelling a rebellion; Guilty of Treason" by Peter B. yne, spy ring melodrama; "Gangs of hicago"; "The Crooked Road," elodrama of New York underworld.

### 16 Jubilee Productions

Sixteen Jubilee Productions: "Es- ape from Sing Sing," by Louis Berg, ased on the novel, "Revelations of a rison Doctor"; "Call of the North," laska gold mine adventure story ased on Jack London's novel; "The hamp Maker" by Kendal Evans and rank Scully, saga of Tex Rickard nd fight champions; "Bengal Bor- er Patrol" by Adrian Johnson, ad- enture with the Bengal Lancers; Forgotten Girls," by Earl Felton, rama of homeless girls; "Tom Saw- er Abroad," by Mark Twain; "Wolf f New York," by Nat Ferber, ad- enture in Wall Street; "Girl from od's Country," by Nell Shipman, tory of girl fighting foes in the far orth; "Bowery Boy," by Sam Full- r, story of regeneration of a tough New York kid; "A Sporting Chance," y Richard Wormser, race track mys- ery; "Man of the Hour," by George roadhurst, political drama; "Here ome the Marines," by Mildred Cram, dventure during a Nicaraguan upris- ng.

Also in the Jubilee Productions are our in the "Higgins Family" series: The Fighting Irish," "A Day at the orld's Fair," "We're in the oney" and "Everybody's Happy."

### Westerns Are Listed

Eight starring Gene Autry: When the Moon Comes Over the Mountain," "Village Barn Dance," Just a Song at Twilight," "Old aithful," "Ride, Tenderfoot, Ride," Round-up Time in Reno," "Down by he Old Mill Stream," "Carolina Moon."

Eight starring Roy Rogers: "The Arizona Kid," "Death Valley Days," "In Old Cheyenne," "Robin Hood of the Pecos," "Man from Rio," "Washington Cowboy," "Days of '49," "Wyoming Wildcat."

Eight starring "The Three Mesquiteers," "Cowboys from Texas," "Sons of the Saddle," "West of the Santa Fe," "Oklahoma Outlaws," "Rocky Mountain Rangers," "Pioneers of the West," "Covered Wagon Days," "Arizona Skies."

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## Kent, Wobber and Hutchinson to Sail

S. R. Kent, president, 20th Century-Fox, will sail April 21 on the *Queen Mary* to attend the company's Paris convention, May 4 and 6, and the London convention, May 11 to 13.

Walter J. Hutchinson, foreign chief, Herman Wobber, general sales manager, and Truman H. Talley, Movietone producer, will accompany him. Kent and Hutchinson will also attend the company's convention in Rio de Janeiro, June 1 to 3, and the Trinidad sales conference June 21.

Talley will hold meetings of his staff in conjunction with the Paris and London conventions.

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## Absence of Arnold Halts Strike Move

(Continued from page 1)

men here now awaits Arnold's direction.

State Mediation Board, which is interested in the effect of the strike on local exhibition, and has been attemping to assist with a settlement of the strike issues, was inactive also yesterday. Joint or individual meetings of circuit and union representatives may be held today, although none have been definitely scheduled yet. These may depend upon Washington's attitude.

Film deliveries continued uninterrupted throughout the tenth day of the strike. No trouble has been reported to date by any exchange or theatre in the metropolitan area.

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## Seeks $250,000 on 'Snow White' Song

Song plagiarism suit for $250,000 damages has been filed in the N. Y. Supreme Court by Modest Altschuler against Walt Disney Enterprises, Inc., Walt Disney Productions, Ltd., RKO Radio Pictures, Inc., Irving Berlin, Inc. and Frank Churchill.

Plaintiff, composer of "Russian Soldier's Song," asserts plagiarism in "Whistle While You Work," written by Churchill, and used in "Snow White and the Seven Dwarfs." An injunction and accounting are also sought. Defendants in their answers deny the charges, and claim that plaintiff's song was uncopyrighted and part of the public domain.

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## Can. Famous Players Assails Halifax Bill

HALIFAX, April 5.—Famous Players Canadian Corp. representatives appeared today at the hearing on the bill to regulate film exchanges. Frank Covert, representing F. P. and 20th Century-Fox, claimed sections of the measure purported to interfere with trade and commerce.

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## Allied Raps Pact at Neely Bill Hearing

(Continued from page 1)

ber of subcommitee present, that the proposed twenty percent cancellation does not apply to all films but the figure is graduated according to average price of pictures, so that it may be 15 or 10 per cent on some blocks.

### Predicts Evasion

Further, he charged, distributors will evade application of the provision as he said they have in the past, and declared that companies which have announced they would include it in new contracts already are seeking to avoid it. In proof of this charge he read a letter from an exhibitor saying that a salesman had offered him a substantial reduction in price if he would eliminate the cancellation clause.

Even if the code should be adopted, the Allied head said, it would be effective only for two years and no provision is made to guarantee its continuance.

Cole predicted that distributors would attack the provision requiring furnishing of a synopsis. He said that elimination of that provision would probably render distributors indifferent to other parts of the Bill, but warned that its elision would "emasculate" the measure.

Charging that M.P.T.O.A., at a meeting in Toronto, "sold out body and soul to producers," Nathan Yamins, of Fall River, explained why he broke with that organization, of which he was an officer, and joined Allied.

### Cites Ban in England

Yamins asserted that block booking has been banned successfully in England and that the United Artists has been able to operate without resorting to the practice, declaring that this demonstrated feasibility of Neely plan.

Yamins and Senator White tangled over whether the Bill would do what proponents claimed, Yamins saying selective buying would make producers put out better pictures or, if they failed, Independents would do so. He admitted, Independents are block booking as well as majors.

Yamins quoted Carl Laemmle as saying, after he had retired, that abolishment of block booking would be a good thing.

### Lauds Decency Legion

Films have improved in past few years as a result of the Legion of Decency activity, he said, eliciting from Neely a protest that his Bill and hearings which have been held have contributed materially.

"Senator, you have been a burr under the tail of producers on many occasions," Pettijohn admitted.

Yamins said only one or two per cent of pictures are harmful to adults but 25 per cent are undesirable for young people.

Referring to a contention by Pettijohn earlier in the hearings that Independents wanted only the "cream" of product, Yamins said "of course, we want cream and not skimmed milk."

### Charges Discrimination

Sidney E. Samuelson, Newton, N. J., asserted that "five of the Big Eight that own theatres do not practice block booking as against their own houses." It is only enforced against Independent theatres," he said.

Allied represents 4,000 to 4,500 exhibitors, Samuelson claimed.

Distributors formerly issued announcement books but did not always give the pictures promised, he continued. M-G-M, however, in its last book gave over 70 synopses showing that provision of bill could be compiled with and Warners gave trade shows, demonstrating blind selling is unnecessary.

"This Bill will be virtually useless without the blind selling provision," he declared. "The Bill is more necessary today than three years ago because announcement books have disappeared."

S. R. Kent, William F. Rodgers, George J. Schaefer and Abe Montague are waiting to be called before the hearing.

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## Name Committees For Allied Affair

Committees were announced yesterday for the "World's Fair Exposition" to be held here May 23 to 25 at the Hotel Astor under sponsorship of Allied Theatre Owners of New York in conjunction with the organization's annual convention.

All major supply and equipment companies and the film companies have pledged their cooperation and will have displays at the exposition, according to E. Thornton Kelly, executive secretary of New York Allied and general chairman of the arrangements committee.

It is planned to admit the public to the displays, and the committee is working for a large attendance of exhibitors, many of whom will come to New York for the World's Fair. Exhibitors in Canada will be invited, and there may be a delegation from England.

Climax of the event will be a banquet on the night of May 25 to which industry leaders will be invited.

Committees are: Publicity, Red Kann, *Boxoffice,* chairman; radio division, Marvin Kirsch, *Radio Daily,* chairman; reception committee, H. M. Richey, RKO, chairman, and Jack Bellman, Republic, Al Herman, Universal, Milton Kusell, Paramount, Ed McEvoy, RKO, E. K. O'Shea, M-G-M, Ed Schnitzer, Warners, Charles Stern, United Artists, William Sussman, 20th Century-Fox, George W. Weeks, Monogram, Lou Weinberg, Columbia. Don Mersereau of *Film Daily,* is in charge of public relations.

New York Allied's regional vice-presidents will be convention chairmen, as follows: Robert Goldblatt, Tarrytown; Mitchell Conery, Ravena; R. P. Merriman, Syracuse, and Al Francis, Buffalo.

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## Ball Named Columbia Los Angeles Manager

Wayne Ball, formerly manager of Columbia's Denver exchange, has been made manager of the company's Los Angeles office succeeding Harry Weinberg, who was relieved of the post at his own request and made a salesman because of recent illness.

R. C. Hill, formerly Salt Lake City branch manager, has been made Denver-Salt Lake supervisor with headquarters in Denver. W. G. Seib, former Salt Lake City salesman, has been made manager there.

# GB Has Not Sought Television Facilities NBC and CBS Say

Inquiry at CBS and NBC revealed that neither of those networks has been approached by Gaumont British relative to the use of their television facilities in connection with the theatre television plans of the film company. Gaumont British states it is negotiating to install television in three Broadway houses about May 15.

According to G. B. plans, large screen television equipment will be installed in local picture houses by Baird Television Co., with which G. B. is affiliated, for the showing of television programs. The company has stated it has no desire to put up its own telecasting, or transmitting station, but is planning to use the facilities of NBC, CBS and other companies engaged in transmission of television programs.

### May Not Need Sanction

The possibility was admitted, however, that G. B. might very well make use of network television programs without asking for, and obtaining, the sanction of networks. The predominant legal opinion at the networks is that a network would have no cause for action in a situation of this kind because the networks are not engaged in the theatre exhibition business, and for that reason cannot ask for damages. It is their own opinion that once the program goes out over the air, they have lost all property rights to the subject and that anyone can pick up the program and show it, even for an admission price.

The reason they would not have cause for action, according to the networks, is that they are not dependent for their revenue on theatre admissions, and therefore cannot be damaged in this fashion.

### Legal Opinions Differ

This is believed to be true, in particular, of any program involving a "live" show, such as a studio production or an actual news or novelty event. However, legal opinion is still at variance as to the extent of control a broadcaster may exercise over a program consisting of copyrighted motion picture film. Prevailing legal opinion in the industry is that a dramatic motion picture production, when used on a television program, may not be picked up by unlicensed or unauthorized receivers for commercial purposes, while a newsreel probably could.

Part of the programs to be broadcast in New York this spring and summer will consist of motion picture film, loaned to the larger broadcasters by the film companies.

## *Suit Names WHOM*

New Jersey Broadcasting Corp., operator of WHOM, was named defendant in a suit for $5,000 damages filed in the N. Y. Supreme Court by Clodoveo Persichetty. The complaint which, in addition, asks $10,000 damages against Morris H. Siegel, individually and as director of Policy Holders' Advisory Council, charges unlicensed use of recordings of Italian radio talks by the plaintiff in broadcasts over WHOM.

# *Radio Personals*

JACK DOLPH, CBS executive in charge of Pacific Coast, in town to consult with headquarters . . . Ed Ingraham signed as new vocalist with the Al and Lee Reiser orchestra over WEAF . . . Joe and Mrs. Penner arrive here Saturday for a week, then to Bermuda for a vacation.

+

Volney F. Richter, WOR time salesman, is the father of a newly arrived son . . . Betty Winkler and Betty Lou Gerson, radio actresses, celebrate birthdays a day apart, April 19 and 20 . . . John J. Anthony, director of the "Good Will Hour," will lecture on his program before the Young Women's League of the Daughters of Israel, April 18 in New York, and will address the Women's Auxiliary of University Settlement, April 29 . . . Phil Baker's program may move to Hollywood next month.

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Wally West, who recently left the CBS publicity department, has been hired by NBC. . . . It's a girl at the Robert Morris'. He is an NBC development engineer. . . . Derby Sproul, program manager, and Kay Barr, publicity director of KDKA in Pittsburgh, are in New York.

## *Publisher Testifies In Canada Air Fight*

OTTAWA, April 5. — Publisher George McCullagh, of the Toronto *Globe and Mail,* recently refused a CBC permit to present a series of five Sunday addresses on a private station network, appeared before the House of Commons Radio Committee yesterday to brand the ban against him as a "colossal error" arising out of personal prejudice against him and the paper.

He insisted Chairman L. W. Brockington of the CBC Board of Governors was "trying to convert the error into a policy for the future." Brockington testified also. The session ended with McCullagh "willing to forget the incident" and to aid CBC in drafting a workable policy for opinion broadcasts.

## *Canadian Officials Watch Short-Wave*

**Ottawa, April 5.—Department of Transport and other Government divisions have been keeping the world short-wave airlines under close surveillance for some months, it was disclosed today. The order followed a Dublin dispatch broadcast over a secret transmitter of the illicit Irish Republican Army which said, "Prepared to carry out operations ordered in Canada in 10 days."**

**The alleged message said to have been broadcast on 21.5 meters gave instructions to the I.R.A. units in Canada, Great Britain and the United States. The Royal Northwest Mounted Police "know nothing of the broadcast."**

# Option Renewed on Screen Guild Show

Option on the Screen Actors' Guild program has been picked up by the sponsor, Gulf Oil Co., insuring the program's stay on the air until late summer at least. Present option was to expire May 1. Young & Rubicam handled the renewal.

Summer plans for the remaining Young & Rubicam programs are varied. At present it appears that the quiz series, "What's My Name," will replace the Fred Allen program, although a contract has not been signed as yet. The Jack Benny replacement is still wide open, and any one of a half-dozen programs now under consideration may get the call. "Silver Theatre" will go off the air May 28, but it is definite that the program will return in the fall. "We, the People" will carry on through the summer, but Sanka Coffee will drop its sponsorship of the series on May 20, with Jell-o Ice Cream Products taking over.

## *FCC Calendar*

WASHINGTON, April 5. — Federal Communications Commission has announced a tentative schedule for hearings on broadcasting applications, as follows:

April 24: Applications of WQDM, St. Albans, Vt., for extension of time from day to local sunset at Cleveland, and KRBA Lufkin, Tex., for increase of power from 100 to 250 watts.

April 28: Applications of Coastal Broadcasting Co., for a 1,500-kilocycle station at Brunswick, Ga., with 100 watts night, 250 watts day; the Gazette Co., for a 1,420-kilocycle, 100-watt station at Cedar Rapids, Ia., and WOC, Davenport, Ia., for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

May 16: Application of John R. Pepper for a 1,310-kilocycle station at Greenville, Miss., with 100 watts night, 250 watts day.

May 24: Application of Patrick Henry Broadcasting Co., for a 1,420-kilocycle station at Martinsville, Va., with 100 watts night, 250 watts day.

### Other Dates Set

The commission has announced that hearings would be held May 15 on the applications of KOVC, Valley City, N. D., for increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day, and change of frequency from 1,500 to 1,340 kilocycles, and KGNO, Dodge City, Kan., for increase of power from 250 watts to 500 watts.

It was also announced that hearings, on dates to be set later, had been ordered on the applications of Mollin Investment Co., for a 1,200-kilocycle, 100-watt, daytime station at Palm Springs, and North Shore Broadcasting Co., for a 1,200-kilocycle, 100-watt station at Salem, Mass., and KFIO, Spokane, for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts; WGST, Atlanta, for increase of night power from 1,000 to 5,000 watts, and WRDW, Augusta, Ga., for increase of night power from 100 to 250 watts.

## *Program Plug*

**Montreal, April 5.—Anxious to flaunt one of the biggest beats they have ever made over rivals here, CKAC, which through its affiliation with CBS took over the Amos 'n' Andy program, have put a couple of black-faced men on the downtown streets with sandwich boards reading "Yes, suh. Don't fo- we is on CKAC now!"**

# Roosevelt Fair Tal To Start Televisio

President Roosevelt will be the sub ject of the first regular televisio service in the United States. Th President's address opening th World's Fair will mark the beginnin of the regular television broadcastin service by NBC.

Shortly preceeding the opening the Fair, RCA, Philco, Zenith ar several other radio manufacturir companies will place on public sa television home receivers.

## *New Transmitter of CBC Open Saturda*

MONTREAL, April 5. — Canadia Broadcasting Corp.'s new 50,000-wa transmitter, CBA, at Sackville, N. will be formally opened Saturday wi a two-hour program starting at 7 P. fed to the national network. Speech will be made by Federal Transpo Minister C. D. Howe, Premier Alis Dysart of New Brunswick, Premi Thane Campbell of Prince Edwa Island, Premier Angus Macdonald Nova Scotia, L. W. Brockingto chairman of CBC board of governo and David Sarnoff, president of RC

Salutes from other CBC outlets w be piped in on the national hookup.

## *NBC Disc Series Is Sold to Canadian N*

"K-7," transcribed series produc jointly by NBC and Heffelfing Radio Productions, has been sold the Hude Tobacco Co., to be air over 10 Canadian stations. Deal w set by Whitehall Broadcasting C Ltd.

Imperial Tobacco Co. has order another 25 transcriptions of the "Lig Up and Listen" series, thus increasi its commitments for this series to 1 episodes. Program is also broadc in Canada.

## *Thompson Selection Reported Favorab*

WASHINGTON, April 5.—Nomi tion of Frederick I. Thompson of M bile, Ala., to be a member of Federal Communications Commiss to succeed Commissioner Eugene Sykes, was ordered favorably repor today by the Senate Interstate Co merce Committee.

## *Benes to Be on WMC*

Dr. Edward Benes, former presid of Czechoslovakia, will be heard clusively over WMCA and the s tions of the Intercity network April 20 at 9 P. M. The subject his address has not been announced

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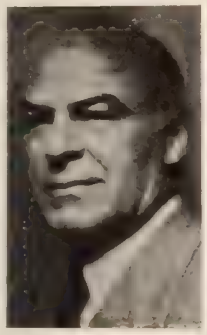
# GOVT. SAYS STRIKE BREAKS TRUST LAW

## Neely Bill Is Attacked by Kent, Rodgers

### *Called Poor Legislation Regardless of Issues*

WASHINGTON, April 6.—Today the film industry leveled its big guns on the Neely bill as the U. S. Senate Interstate Commerce sub-committee continued its hearings. Sidney R. Kent and William F. Rodgers addressed committee members and Kent told the Senate group that even if block booking should be legislated against, the Neely bill was not the way to do it.



Sidney Kent

The hearing was adjourned until Monday, when George J. Schaefer and Ed Kuykendall are scheduled to carry on the industry's attack.

"The Neely bill," said Kent, "is not good legislation."

Rodgers declared, "I believe the interests of the industry can best be served by working out of an agree-

(*Continued on page* 4)

## Companies Studying Spain Film Market

American distribution companies have appointed trade representatives for Spain and several surveys of the current market are under way there now. There has been no official indication yet, however whether the market will be "open" or the extent to which it may be restricted.

American distributors have not resumed shipments into Spain yet and probably will not to any significant extent until the nation's import policy is made known. Foreign department officials anticipate severe monetary restrictions even though film imports may be unrestricted.

General trade surveys are under way in Spain now by the newly appointed trade representatives of the American companies. Surveys will include the condition of key theatres, general economic prospects in the larger cities and the advisability of re-establishing branches in Spain.

### *Stop "Kid" Cycle, Exhibitor Pleads*

**Cincinnati, April 6. — Tom Davis, manager of the Paramount, Ashland, Ky., apparently has reached the saturation point on kid pictures. In a letter to his circuit executives, Davis writes, in part: "And while on the subject, the public is fed up on kids. Exhibitors should wire, write or phone the producers, and contact sales conventions, and tell 'em to stop this kid cycle."**

## Goldwyn Withdraws UA Suit; Expect New Action in Delaware

In a counter legal maneuver to keep the suit out of the Federal courts, Samuel Goldwyn and Samuel Goldwyn, Inc., filed notice of voluntary dismissal of the breach of contract suit against United Artists in the U. S. District Court yesterday. A new action is expected to be filed shortly in Delaware.

The dismissal was filed pursuant to Rule 41a of the new rules of Federal Procedure which permits a plaintiff to discontinue a suit before an answer is served without court approval and without prejudice to the bringing of a new action in the same court or elsewhere.

Action was started in the N. Y. Supreme Court March 1 for a declaratory judgment to permit Goldwyn to set aside his present exclusive producing and releasing contract with U. A. and to reinstate his former contract, which allowed him to distribute through other companies additionally. Goldwyn's present contract runs until 1945.

U. A. responded on March 16 with a demand that the suit be shifted to the Federal court on the grounds of "diversity of citizenship," because it is a Delaware corporation. N. Y. Supreme Court Justice Charles B. McLaughlin granted the request on March 18. If the new suit is brought in the Delaware state courts, attorneys believe that there will be no basis for Federal jurisdiction.

### *Craig Off to Ottawa*

Sir Gordon Craig, general manager of British Movietone, has left to confer with officials in Ottawa. He will return over the weekend. He plans to sail on the *Aquitania* April 15. R. Sutton Dawes, British sales manager for 20th Century-Fox, plans to sail at the same time.

## Extension of Air Licenses Recommended

WASHINGTON, April 6.—Extension of the broadcast station license period from six months to one year was recommended to the Federal Communications Commission tonight by its committee on broadcast standards, Commissioners Norman S. Case, chairman; T. A. M. Craven and George H. Payne.

The recommendation was one of a number contained in the final report of the committee, supplementing the initial report issued last January.

Other recommendations include affirmation of the commission's opposition to superpower; extension of the broadcast band to include the section from 1,500 to 1,600 kilocycles now used by special stations; establishment of three classes of channels as at present, but four classes of stations—dominant stations on clear channels, secondary stations on clear channels, regional stations in two groups (one with 1,000 to 5,000 watts power, the other with 500 to 1,000 watts) and

(*Continued on page* 4)

### *Casey on Way East For Musicians Talk*

Pat Casey, producers' labor representative, left the coast yesterday by train and is due in New York on Sunday. Casey and major company officials are scheduled to meet April 17 with the executive board of the American Federation of Musicians to continue discussions of methods of reemploying theatre musicians. Several discussion meetings were held last fall.

Annual negotiations under the basic agreement between the producers and the five international studio unions may also be held during Casey's stay here. Insofar as is known now, however, none of the internationals has yet requested a negotiating session and there are no wage or hour schedules due for reopening at this time. However, a meeting may be required to renew the basic agreement for another five years and to determine the status of I.A.T.S.E. in the annual negotiations since autonomy was granted to all of the International's studio unions with the exception of Local 37.

### *Next Step by Justice Department Is Awaited*

The opinion has been rendered to union officials by representatives of the Department of Justice in Washington that the present strike of home office and exchange boothmen in the Greater New York City area which includes Northern New Jersey is an attempt to restrain interstate commerce and therefore is a violation of the anti-trust laws.

This opinion was reached by the Government after an investigation of the strike situation.

Principals in the situation are awaiting the next move by the Department of Justice.

Efforts to learn from competent unions officials what the union's reaction might be to the Government's opinion has proved unavailing. Union officials refused to comment. Distributors were equally as non-committal.

It was on Monday morning, March 27, that the strike started. The strike order by the union arose out of the refusal of the distributors to accede to the union's demand that they cease further film service to theatres which do not employ members of Local 306.

Yesterday was the eleventh day that pickets have paraded in front of exchanges. The picketing has been orderly. There has been no impairment of service to theatres.

George Browne is president of I.A.T.S.E. Joseph D. Basson is president of Local 306.

## 'The Castles' Gives Music Hall $100,000

Steady downpour yesterday kept box-office receipts along Broadway at a low level. Generally, however, this year's Holy Week grosses have been well ahead of previous years. An excellent week's business was done by "The Story of Alexander Graham Bell" which grossed an estimated $50,000 at the Roxy. "The Castles" gave the Radio City Music Hall $100,000 on the picture's first week, probably staying at this house for three weeks.

"Pygmalion" is still going strong at the Astor with an estimated $9,600 for its 17th week. It is expected to run until at least May 1. "You Can't Get Away with Murder" grossed an estimated $25,000 in its second week at the Strand.

# Government Quiz Opposed by Raftery

Edward C. Raftery, attorney for United Artists, opposed all questions relating to United Artists functions as a producer and any inquiries on the financial structure of the company, at the commencement of the Government's examination of United Artists defendants in its anti-trust suit against the eight majors.

Raftery objected to questions put to Harry J. Muller, treasurer and controller of United Artists, by Robert L. Wright, special assistant Attorney-General, on the ground that the complaint does not allege that United Artists is a producer, and that the company's financial status is confidential. The government's request for copies of annual reports and financial statements was refused.

Examination of Muller was adjourned until today at 10:30 o'clock in the Federal Court House. Raftery's examination will follow that of Muller.

Government's inquiry yesterday was confined to the personal history of Muller, the history of the company and the set-up and personnel of the company and its 26 U. S. exchanges.

Attorneys present at the hearing were Benjamin Pepper and Raftery for United Artists; Albert C. Bickford and Walter K. Walker of Simpson, Thacher & Bartlett for Paramount Pictures; Edward C. McLean of Davis, Polk, Wardell, Gardiner & Reed for Loew's; Herman Finkelstein of Schwartz & Frohlich for Columbia, and I. F. Caskey of Dwight, Harris, Koegel & Caskey for 20th Century-Fox.

## *Loew Boston Vote Set*

State Labor Board elections for designation of a collective bargaining agent of managers, assistants, publicity and box office employes of Loew's Boston houses has been set for April 11. William S. Scott, business agent of Theatrical Managers, Agents & Treasurers Union, left for Boston yesterday and Gustave A. Gerber, T.M. A.T. attorney, will follow Monday.

## *Pathe Profit $77,158*

Profit of $77,158 after deduction for taxes was earned by Pathe Film Corp. in 1938 as compared with a profit of $466,918 for the previous year. The earnings are equivalent to four cents a share on 581,679 shares compared with 70 cents on 585,072 in 1937. Dividends from du Pont Film totaled $245,000 during 1938 against $472,500 in 1937.

## *Add to Allied Committee*

Additional names have been added to the committee for Allied's "World's Fair Exposition" to be held at the Hotel Astor May 23 to 25. They are Jay Emanuel, *The Exhibitor;* Chick Lewis, *Showmen's Trade Review;* Terry Ramsaye, *Motion Picture Herald.*

## *Mrs. J. J. Spandau Dies*

Des Moines, April 6.—Mrs. J. J. Spandau, wife of the manager of the local Universal exchange, died at a local hospital following an operation. Burial was at her former home in Pittsburgh.

# *Purely Personal*

Morris Helprin, publicity and advertising representative for Alexander Korda, sails from England on the *Aquitania* tomorrow.

•

Walt Disney and his executive staff, Paul Stuart Buchanan, Dick Huemer, Joe Grant and William Garity, will attend the opening of the French version of "Snow White and the Seven Dwarfs" at the Waldorf tomorrow.

•

E. J. Smith, general sales manager of Imperial Pictures, has left New York on a trip to company branches, stopping at Buffalo, Detroit, Chicago and Cleveland.

•

Charles Boyer will head the cast of the "Hollywood Playhouse" broadcast of "The Passing of the Third Floor Back" on Sunday evening. Anne Shirley also will appear.

•

Harry M. Warner has received a citation from the Hollywood Post of the American Legion for his production of pictures fostering Americanism.

Charles W. Koerner, newly appointed head of RKO coast theatres, left Boston by train Wednesday for California. Richard Mahn, his secretary, and Fred Rush, assistant, will follow shortly.

•

Martin Good Rider, Indian juvenile actor who just completed work in "Susannah of the Mounties," is in New York for a brief visit.

•

Lya Lys will come on from the coast later this month for the opening of "Confessions of a Nazi Spy" at the Strand.

•

Norman B. Rydge was the luncheon guest of a group of Universal home office executives at the Rainbow Room yesterday.

•

James Hogan, Paramount director, is visiting in Boston prior to sailing for Europe on a vacation.

•

Joe Penner is due in New York today from the coast.

## 3 Films Completed By G. N. in Britain

Grand National, Ltd., has scheduled 10 features for production this year in England—three have been completed—and has leased the Twickenham Studios for three years to facilitate the schedule, according to Jeffrey Bernerd and Maurice Wilson, joint managing directors of the company, who arrived yesterday on the *Queen Mary.*

Grand National of England has no tieup with Grand National Pictures here other than a distribution arrangement, Bernerd and Wilson stated, and they do not contemplate altering the arrangement. The deal is for five years and provides that the English company distribute Grand National pictures in England. The pact called for the Bernerd-Wilson company to distribute 30 Grand National pictures, but to date only three have been delivered on a picture-to-picture basis, Bernerd said. No cash investment has been made in Grand National by Grand National, Ltd., and none will be made, Bernerd said.

Bernerd will remain here for two weeks to complete deals for distribution here of his films, following which he will return to England. Wilson will remain in New York for 10 days and then will proceed to the coast to sign players for his company's forthcoming films.

## *Moss to Press Court Action on Bank Night*

Despite the Grand Jury's refusal to indict in the lottery case against the Jewel Theatre in Harlem, License Commissioner Paul Moss is going ahead with other court action to test the legality of chance games in New York.

Summons was served on the Momart Theatre in Brooklyn and the management tried before Magistrate Eilpern. The case is being held for Special Sessions and date will be set on April 11. Harry G. Kosch has been retained by the defendants.

## *Named 'Gateway' Scouts*

Herbert Rawlinson and Jack Mulhall, screen veterans, have been signed as scouts for the second Jesse L. Lasky "Gateway to Hollywood" talent search. Rawlinson will cover the east and Mulhall the Midwest.

# *The Newsreel Parade*

*An airplane crash during the launching ceremony of the new navy plane carrier, Wasp, highlights the newsreel contents. The reels and their contents follow:*

MOVIETONE NEWS, No. 60—Foreign relations Committee hearing. Planes crash as ship is launched. Spring fashions. Professional tennis match. Midget auto racing. Man o' War relaxes. Lew Lehr.

NEWS OF THE DAY, No. 258—Navy destroyers reconditioned. Plane disaster during launching ceremony. Coast Guard rescue. Roosevelt confers with press. Safety glass demonstrated. Girls ride mules. New French sport. Miniature auto contest.

PARAMOUNT NEWS, No. 71 — Franco enters Madrid. Bridge-tunnel controversy in New York. Fire in Ohio. Lion walks tightrope. World War destroyers repaired. New ship is christened. Plane tragedy. Ski meet. Swimming competitions.

RKO PATHE NEWS, No. 75—Army Day demonstration. Painting exhibition. Buddha's birthday celebrated. "Dodge City" premiere. Co-ed plays polo. Retrievers in field trials. Boys race in midget cars.

UNIVERSAL NEWSREEL, No. 760—"Dodge City" preview. Fliers crash as Wasp is launched. Naval expansion speeded. Senate neutrality pact hearing. Desert queen chosen. Typical American boy. Child contest winner. Safety glass is tested. Hair net fashions. Underwater swimming. Motor boat record is broken. Olympic ski meet.

## *'Happiest Days' Is Opening Tomorrow*

**"The Happiest Days" by Charlotte Armstrong opens tomorrow evening at the Vanderbilt. The play is based on a news item about a young couple who signed a suicide pact after having seen the film, "Mayerling." Courtney Burr is the producer and Marc Connelly the director. Included in the cast are William Harrigan, Uta Hagen, John Craven, Russell Collins, Kathryn Givney and others.**

## *Pro Rata Stock Offer To Eastman Holder*

Eastman Kodak stockholders are offered, pro rata, subscription rights t 225,092 new shares of no par commo stock at $127.50 per share betwee now and April 27. Subscription right are in the ratio of one additional shar for each 10 shares now held.

Net proceeds from sale of the stoc are estimated to represent $28,048,556 and will be added to the general fund of the company to be used for addi tions and betterment of plant an equipment, for additional working cap ital to finance inventories and receiv ables, and "to maintain for a perio of time, to the extent that cash fund are available, a greater cash and mar ketable security position than exist at present."

## *RKO Orders Submitted*

Proposed formal orders confirmin the RKO reorganization were sub mitted by Atlas Corp. proponents o the plan, and H. Cassell & Co. object ing bondholders, to Federal Judg William Bondy yesterday. Ernest W Stirn, objecting Class A stockholde filed an opposing affidavit. The Cas sell order differed from that of Atla by providing that Atlas must submi an underwriting agreement for ne capital within 30 days.

## *Capital Sees 'Heights'*

Washington, April 6.—A specia screening of Samuel Goldwyn "Wuthering Heights" was held her last night. William Wyler, directo was host to a group of Governmen officials.

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

MARTIN QUIGLEY, Editor-in-Chief an Publisher; SAM SHAIN, Editor; JAME A. CRON, Advertising Manager.

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# Theatre Unions to Meet with Whalen On Fair Schedules

Theatrical unions will meet with Grover A. Whalen, managing director of the World Fair Saturday afternoon in an effort to arrange wage and hour schedules and a closed shop at Fair concessions. The Fair management has taken the position that although it is "union minded," responsibility for employment contracts rests on the individual concessionaire.

The unions, on the other hand, insist that all construction work has been done on a closed shop basis, and that the theatrical crafts are entitled to the same proposition. The New York Theatrical Trades Council, composed of Ralph Whitehead, of the American Federation of Actors; Jack Rosenberg, Local 802 Musicians; Charles Downs, Local 644 Cameramen; Sal Scappa, Local 52 Studio Mechanics; Tom Murtha, Local 4 Brooklyn Stagehands, and Joseph Basson, Local 306 Projectionists, has been formed for the purpose of dealing collectively with Fair authorities.

Actors' Equity and A.F.A. have a joint committee working to set minimum working conditions for actors, and Equity has one contract, signed in January, with the Merrie England concession for Shakespearean revivals at the Globe Theatre on the Fair grounds. No arrangements with the Musicians' Union has been made yet for broadcasts from the Fair.

## *Extension of Radio Permits Suggested*

(*Continued from page* 1)

local stations, and increases of power for stations where it is needed and is technically feasible.

In the more than 500 pages of the latest report, the committee analyzed broadcasting programs, finding that 52.45 per cent of all time of all stations on the air is devoted to music, but that while stations with advertising revenue of $1,000,000 or more use music in only 37 per cent of their broadcasts, the small commercial stations, earning up to $15,000, devote 61 per cent of their time to music.

During the period from 1922 to 1937 more than 53,000,000 radio sets were sold with a retail value of nearly $4,000,000,000, and the present-day investment of the broadcasting industry in stations and equipment is approximately $50,000,000, with another $9,000,000 in network plant equipment. Time sales of the industry, nets and stations, in 1937, amounted to nearly $118,000,000, and during an average week in 1938 the industry employed 17,085 full-time and 5,820 part-time employees.

At a later date, it was said, a hearing will be granted before final action is taken with respect to any of the recommendations.

## *World's Fair Short Out*

A two-reel sound film, "New York World's Fair 1939," promoting the Fair, has been offered without charge to all non-theatrical situations. Produced by the newsreel division of the Fair, it is available in 16mm. or 35mm., and runs 16 minutes.

# Kent and Rodgers Assail Neely Bill

(*Continued from page* 1)

ment between those whose interest it is to protect their public and those whose interest it is to protect their investment, rather than have a measure enacted into law which at best cannot help, but, in my opinion, can only destroy."

**W. F. Rodgers**

Kent, president of 20th Century-Fox and honorary chairman of the distributors' trade practice committee, pointed out that the practices which the Neely bill purports to legislate on are matters of issue in the pending New York anti-trust suit, and he urged therefore that since these issues will be settled in the trial of that suit, action on the Neely bill be deferred.

Whatever the evidence is, it will be at least given under oath at the trial and those who testify will have to present facts, not generalities, Kent pointed out.

Outlining the inability of distributors to comply with the synopsis requirements of the measure, Kent declared publicition in advance of stories companies are going to produce would lead to the loss of "half of them by plagiarism."

"Proponents say they do not want to kill block booking," he told the subcommittee. "I know they don't. They have always attempted to hold block booking with one hand and pick out what they wanted with the other."

The industry is in a serious situation, with great difficulties in the foreign markets, he warned, and Neely bill enactment would be disastrous. But, he added, "If these practices are to be prohibited, they should be prohibited entirely and it should be done on a basis that is fair to all."

### Outlines Pact Efforts

Rodgers, sales chief of Metro-Goldwyn-Mayer and chairman of the distributors' trade practice committee, told the committee that it was the box-office, rather than "morals" which governed the exhibition situation. He cited the production of "Romeo and Juliet" at a cost of $2,800,000, which got 590 cancellations, while a story based on Al Capone got only 13. A taxicab racketeering story, "Big City," also got only 13 cancellations, while "April Blossoms," starring a nationally known concert artist, was turned down by 3,900.

Rodgers outlined his efforts to reach an amicable agreement with independents and detailed the history of the trade practice proposals. Not all Allied exhibitors are against a voluntary agreement, he said, many having personally expressed a preference for an agreement as against legislation.

Challenging Allied's claims of more than 4,000 members, Rodgers placed the figure at nearer 2,200 and told the subcommittee that even allowing 4,000 and eliminating 2,500 affiliated theatres, there are more than 10,000 independent houses, a majority of which are not in favor of the Neely bill.

# Missouri's Ascap Bill Reintroduced

KANSAS CITY, April 6.—Anti-Ascap bill sponsored by the Kansas-Missouri Theatres Association, recently discarded by the Missouri legislature's Revision Committee, has been reintroduced by Representatives Turner and Hamlin, who introduced the original bill.

Like the original, the present bill is based on the Washington law, and in effect prevents the fixing of prices on copyrighted music or other copyrighted work by two or more separate copyright holders.

This is a revision session of the legislature, and only bills which meet the "revision" specification are being given serious consideration. The two Representatives include in the bill the statement that it is a revision measure because it deals with a change of existing statutes, those dealing with monopoly.

## *GB Seeks to Screen Cup Final Telecast*

LONDON, April 6.—Isidore Ostrer of Gaumont British has made a substantial offer to the Football Association for the right to screen the telecast of the Cup Final April 29 in G. B. houses, which had been refused earlier. It is expected permission will be granted.

G. B. houses will screen the telecast of the Burman-Farr fight on April 13, and negotiations are under way for the rights to screen the telecast of the Derby on June 7.

## *Says Studio Local Is Trying to 'Save Face'*

HOLLYWOOD, April 6.—Frank Strickling, International representative of I.A.T.S.E., issued a statement today in which he said the new court attack on George Browne, president, was an attempt of Studio Technicians Local 37 to "save face." Replying to the local's $1,000,000 suit he said that not more than $120,000 was collected in two per cent assessments.

International officers will go into superior court tomorrow to move for an order allowing the taking of a deposition from Browne in Chicago in support of their suit for a permanent injunction against local officers.

## *Sam Pechner Dies*

SAN FRANCISCO, April 6.—Sam Pechner, 52, manager of the Warfield, died while en route home by train from a Los Angeles conference of Fox West Coast officials. He was father-in-law of Harry Sinclair, Jr., son of the oil magnate. A son, Warren, is manager of the Varsity in Palo Alto.

## *Desch G. N. Manager*

KANSAS CITY, April 6.—Douglas Desch, who has been head booker, office manager and city salesman for Grand National here, has been appointed branch manager, succeeding Russell Borg, who has joined Warners.

## *'Devil's Island' Is Banned in Montreal*

**Montreal, April 6.—Warners' "Devil's Island" has been banned here, according to the French Consulate General, as a result of the French Government protest that the film is sensational, wrong in facts and detrimental to the French character. It had been scheduled to open at the Princess over the weekend.**

# Variety Club Meet In Detroit April 2

DETROIT, April 6.—Plans are bei set here for the national conventi of the Variety Club, to be held at t Book Cadillac Hotel April 27-29. T Detroit club will act as host. T three-day visit will be climaxed the annual banquet April 29, at whi public officials are scheduled to present.

The general convention committ in charge of arrangements includ John E. Flynn, chairman; E. Beatty, William Carlson, E. Kirchner, Frank J. Downey, Dav M. Idzal, George W. Trendle, Charl C. Perry, H. M. Richey and Dav Newman. In charge of welcoming a reception is H. Com Merritt, whi decorations will be in the hands Elmer Kiehler, banquet reservatio will be handled by Frank J. Downe William Carlson heads the progra committee, David M. Idzal the ente tainment committee, Harold Robinso transportation, E. E. Kirchne finance, and Charles C. Perr speakers.

The prominent film executives i vited include: Will H. Hays, Charl S. Pettijohn, Sidney Kent, Herma Wobber, Al Lichtman, William Rodgers, Barney Balaban, Neil Ag new, Nate Blumberg, W. A. Scull H. M. Warner, Gradwell L. Sear Harry Cohn, Abe Montague, E. W Hammons, George Schaefer, Jule Levy, J. Meyer Schine, Louis W Schine, George V. Lynch, A. J. Kear ney, M. J. Kallett, John A. Nola M. A. Shea and Harry Kalmine.

## *20th-Fox to Exploit Film in Derby Airin*

Twentieth Century-Fox will at tempt something new in film exploi tation when, on May 6, via the broad cast of the running of the Kentuck Derby, it will advertise "Rose o Washington Square," a forthcomin film which stars Tyrone Power, Alic Faye and Al Jolson. The broadcas will be carried over a 90-station hook up over the CBS network, from 6:1 to 6:45 P. M. The Derby has bee an exclusive CBS feature since 1935 and in previous seasons the Brown & Williamson Tobacco Co. sponsore the air description of the race.

## *'Radio Rubes' Here Soon*

"Radio Rubes," who are heard ove WEAF every weekday morning, wil make their first personal appearanc in the greater New York area at th Riveria Theatre, Brooklyn, April 1 through April 13. NBC Artists Bureau set the deal.

M. P. PRODUCERS &
DISTRIBUTORS OF AM., INC
28 WEST 44TH ST.,
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N. Y. (3 COPIES

DO NOT REMOVE

Indispensable
to the Motion
Picture
Industry

ON PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

OL. 45. NO. 68 NEW YORK, MONDAY, APRIL 10, 1939 TEN CENTS

# Salesmen Will Obtain Field Views on Pact

## Vill Guide Distributors In Making Changes

Salesmen in the field will ascertain hibitor sentiment regarding the ade practice code, to guide the dis- butors' committee in rephrasing rts of the code, should this be found cessary.

So far exhibitor reaction has been ried. Some approve wholehearted- while others have reservations.

The record at this point shows that e I.T.O. of Southern California has dorsed the pact in principle and ex- essed exceptions to some minor nditions.

Executive approval of the pact has en obtained from the M.P.T.O. of ebraska and western Iowa as well as om the M.P.T.O.A. of Virginia and e members of these organizations ill have the opportunity of express-

(Continued on page 8)

# Hearing on Neely Bill Nears Windup

Trade practices and commonly ac- pted sales policies in the industry ill be explained and defended by eorge J. Schaefer, RKO president, hen he takes the stand today with e resumption of hearings on the eely Bill before a sub-committee of e Interstate Commerce committee in ashington.

Industry opposition to the measure ay be concluded today or tomorrow, ith summations following the wind- of testimony.

William F. Rodgers, M-G-M gen- al sales manager, is expected to be

(Continued on page 8)

### *Brazil's President Will Greet Kent*

**President Vargas of Brazil will head the dignitaries who will greet S. R. Kent when the president of 20th Century-Fox arrives in Rio de Janeiro to speak at the company's South American sales convention, June 1. His visit will coincide with the start of plans laying greater emphasis on the Latin American market. He will be accompanied by Walter J. Hutchinson, foreign chief.**

### *Justice Dept. Lawyer Conferring in Omaha*

**Omaha, April 9.—John F. Caggett, Department of Justice attorney, has been here conferring with Omaha theatre operators on alleged monopolistic practices of circuit theatres in Nebraska.**

**He conferred with Ralph Goldberg, operator of the Goldberg Theatre Corp. and Goldberg's attorney, I. J. Dunn. Claggett plans also to visit Lincoln, Hastings, McCook and possibly other outstate cities, it was reported.**

# Para. Plans 56 Features Next Season

Paramount will make 56 features during the 1939-'40 season, the same number scheduled by the company for the current season, Barney Balaban, president, said Friday prior to his departure for the coast by train.

The Paramount group headed for the studio included Stanton Griffis, chairman of the executive committee; Edwin L. Weisl, counsel and member of the board, and Leon Netter, home office theatre executive. They were joined in Chicago on the way west by Neil F. Agnew, distribution head, and Robert Gillham, advertising and publicity director. They will discuss

(Continued on page 8)

# OPERATOR STRIKE SETTLEMENT MADE

## *Unions Yield to U. S.; Obtain 15% Wage Increase*

Home office and exchange projectionists in the metropolitan New York area who have been on strike since March 27, returned to work this morning. The strike is over. It lasted 12 days. Strikers have been granted a 15 percent wage increase.

These terms run until September, 1940. They are retroactive from September, 1937. Peace is thus assured for another 17 months.

The new scale is $87.50 weekly.

Negotiations for settlement moved swiftly beginning Friday when Local 306, the projectionists' union and its parent body, the I.A.T.S.E. yielded to the opinion of the Department of Justice. The queston of the distributors' delivery of product to non-I.A.T.S.E. theatres in greater New York and northern New Jersey was withdrawn and it was no longer an issue. The strike questions were thus reduced mainly to those of wages and hours for the 60-odd men involved.

The retroactive provision of the new agreement which will be drawn today does not affect all of the companies alike. Some of the major distributors had been paying higher wages to their home office and exchange boothmen, on the grounds that the existing general 10-year

(Continued on page 8)

# NBC Won't Allow Industry to Censor Film News Scripts

Los Angeles, April 9.—Don E. Gilman, west coast division manager of NBC, exercised over a report that radio would permit the film industry to censor film news used by network commentators, today flatly denied that his network has agreed to permit censorship of scripts.

The denial was prompted by various reports here that the three nationwide networks, NBC, CBS and Mutual, have agreed with studios and the Association of Motion Picture Producers to permit a studio committee to review scripts prior to broadcasts.

Gilman said: "Any statement that NBC and the producers' association have reached an agreement on censorship of radio commentator material is absolutely false. NBC allows no one to pass on the acceptability of its material. We might consult with others in an effort to promote industrial harmony but any exception to those results would be carried out only by the NBC and no one else."

Donald W. Thornburg, CBS western division head, also denied the censorship report.

Association of Motion Picture Producers' officers here said they knew nothing of the purported agreement.

# *James Roosevelt Says He Hopes to Stay in Pictures*

James Roosevelt, vice-president of Samuel Goldwyn, Inc., hopes to stay in the film business a long time, he said before sailing Friday on the *Queen Mary*.

Roosevelt was affable with interviewers and photographers who trouped after him down the gangplank. Towering in front of the procession, he held the arm of his wife on one side and of his grandmother, Mrs. Sara Delano Roosevelt, mother of the President, on the other. Lynn Farnol and Al Margolies of United Artists barred the door of his cabin to outsiders while "the press" filed in.

Jimmy's kin sat to one side while reporters shot question after question at him. He answered all readily, and with the Roosevelt smile.

"I'm through with politics," he said.

"Why?" he was asked.

"Well, I can't be in both business and politics at the same time," was his rejoinder.

"Do you ever plan to return to politics?"

"I have to work for a living, unfortunately."

"Do you intend to stay in picture business?"

"Yes, I like it and I hope to stay in film business as long as they'll have me," Roosevelt replied.

"Do you plan to stay in the business just long enough to make enough money to go back into politics?" one reporter persisted.

"Not necessarily," he said.

Roosevelt explained the purpose of his trip was to attend the London pre-

(Continued on page 8)

# Sir Victor Wilson Quits Australia Post

Sydney, April 9.—Sir Victor Wilson, after occupying the post of president of the Motion Picture Distributors' Association of Australia since the inception of the organization 13 years ago, has resigned. He will leave at the end of his term in June. Members of the group include the heads of the eight companies distributing American product in Australia.

"Suez," the 20th Century-Fox film, started at the Regent here with a first week's gross which established a nine-year record.

Charles E. Munro, managing director of Hoyts Theatres, at the annual banquet of the 47 Club, blamed distributors for alleged lack of consideration of the rights of exhibitors. He stated that exhibitors would press for further relief in the matter of rentals unless the distributors reached satisfactory terms.

# Raftery, Muller Quiz Put Off to April 13

The Government again sought in vain on Friday to obtain information concerning the financial structure and condition of United Artists Corp. in the continued examination of Harry J. Muller, treasurer and controller of United Artists, and Edward C. Raftery, its secretary and general counsel. Raftery, in testifying, also refused to reveal in response to questions of Robert L. Wright, special assistant Attorney-General, whether the majors made it a practice of joining together in settling numerous anti-trust suits brought by exhibitors.

Examinations of Muller and Raftery, which are preliminary steps in the Government's anti-trust suit, were adjourned to April 13 for continuation. Information was sought as to all anti-trust suits brought against the majors since 1930. In addition, at Wright's request, a copy of Samuel Goldwyn's distribution contract with United Artists was given to the Government for study. Balance of the examination was confined to going over the ground covered on Thursday concerning the history and set-up of the company.

# Moe Silver Conducts Quarterly Zone Meet

Albany, April 9.—At the quarterly meeting of executives and managers of the New York State zone called by M. A. Silver, Warner zone chief, Harry Goldberg, national advertising director, addressed the meeting. Joseph Bernhard, operating head of Warner Bros. theatres who was to attend had to cancel plans in order to attend studio conferences.

The district managers and managers discussed plans for boosting box office receipts and attended a special showing of "Dark Victory," and several Vitaphone shorts including "Sons of Liberty."

Silver addressed the group on general operating problems.

Among those attending the session were: District Managers, Charles A. Smakwitz and Ralph Crabill; Max Friedman, Joe Weinstein, Jim Faughman, Leo Drexler and Jules Curley of the local office. Also, managers Andy Roy, Strand; Bob Rosenthal, Ritz; Al LaFlamme, Madison; Eddie Selette, the Albany; Leo Rosen, Troy; Jack Swarthout, the American; Sid Sommers, Lincoln, Troy; Bill Haynes, Stanley; Murray Lafayette, Avon; Jack Breslin, Utica; Bill Leggiero, Keeney; Mel Conhaim, Regent, Elmira; Al Beckerich, the Palace, Jamestown; Ralph Booth, New Family, Batavia; F. M. Westfall, the Haven, Olean; C. L. Hollister, the Babcock, Wellsville; Dalton Burgett, the Capitol, Dunkirk; Al Newhal, the Majestic Hornell; Jimmy Macris, the Diana, Medina.

# O'Connor to Coast

John J. O'Connor, RKO theatre head, and Mrs. O'Connor left for the coast by train Friday to be gone several weeks. O'Connor will inspect the company's west coast operations and will be on hand when Charles Koerner takes over as west coast operating head. Koerner, former New England operating head for RKO, replaces Jack Gross who recently joined the Universal studio staff.

# ◂ Purely Personal ▸

John Joseph, Universal advertising and publicity director, leaves for the coast today. Matthew Fox, vice-president, left New York Friday, returning to the studio.

•

Edward G. Robinson left the coast for New York on Friday and will attend the opening of "Confessions of a Nazi Spy" at the Strand later this month.

•

Jack Kuhne, Movietone News aviation editor, is due soon from South America where he has been conducting a camera expedition.

•

Charles Cohen of Howard Dietz's publicity staff at M-G-M and Mrs. Cohen today celebrate their first wedding anniversary.

•

Bernard Freeman, M-G-M's managing director in Australia, has arrived for conferences with Arthur M. Loew. He plans to remain a month.

•

Lou Miller, assistant to Cresson Smith, RKO southern and western sales manager, left over the weekend for a brief vaction in Pinehurst.

•

Mervin W. Palmer has been named service manager at the New York branch of Bell & Howell. J. H. Booth, general sales manager, is on a southern business and vacation trip.

•

Robert Montgomery was in town for a few days from Washington before returning to the coast. He stayed at the Waldorf.

•

Mona Barrie sailed Saturday for Europe on the *Paris*.

•

Abe Montague, Columbia general sales manager, left Saturday for a vacation in Bermuda.

•

Deems Taylor, supervising the music on Walt Disney's next feature, returned Friday from Philadelphia where he worked with Leopold Stokowski. Roy Disney and Paul Buchanan were with him.

•

Phil Isley, president of Southwestern Theatres, Inc., at Tulsa, Okla., has left with Mrs. Isley for a two-week vacation in Hollywood.

•

Frank Moscato of the Isle Theatre Circuit and Mrs. Moscato have left for a three-week vacation in Miami and Havana.

•

Joe Linz of RKO's pressbook department has left for Dallas where he will spend his vaction with his parents.

•

Austin Keough, Paramount vice-president and secretary, leaves New York tomorrow for a vacation of several weeks.

•

Irving Maas, 20th Century-Fox foreign service director, is recuperating at St. Vincent's Hospital from a recent operation.

•

William Melniker, in charge of Loew's foreign theatres, is in Mt. Sinai Hospital for observation.

•

Lew Ayres sailed on the *Queen Mary* Friday for a European vacation.

•

Walt Disney arrived in New York Friday.

# Picture Industry Paid 15 Of 20 Top 1937 Salaries

Washington, April 9.—Film industry paid 15 of the top 20 salaries earned during 1937. The figures were revealed when the House Ways and Means Committee issued its annual statement of salaries and bonuses in excess of $50,000 received during the year from corporate employers.

Louis B. Mayer, vice-president in charge of production for Loew's and M-G-M, received the highest salary in the country with $1,296,503. This total consisted of $1,161,753 from Loew's and $134,750 from M-G-M. J. Robert Rubin, Loew's vice-president, received the second largest salary, with $651,123. In fourth place was Nicholas M. Schenck, Loew's president, with $489,602.

Of the 63 salaries over $200,000, 40 were paid by the film industry. This is the last year that all salaries over $50,000 will be listed. An amendment to the law will limit disclosures in the future to those over $75,000.

### Salaries Listed

Leading salaries paid to industry executives are listed alphabetically as follows:

Neil Agnew, $52,000; Edward L. Alperson, $85,995; David Bernstein, $382,816; Major Edward Bowes, $427,817; J. E. Brulatour, $140,000; Joseph Bernhard, $97,500; Pandro Berman, $251,347; Charles Chaplin, $106,000; Jack Cohen, $104,240; R. H. Cochrane, $91,825; J. Cheever Cowdin, $76,620; Ned E. Depinet, $94,761; Cecil B. DeMille, $51,500; Walt Disney, $39,750; Howard Dietz, $52,500; Sam Eckman, Jr., $77,926; S. Charles Einfeld, $71,500; Y. Frank Freeman, $59,800; Dr. A. H. Giannini, $78,000; William Goetz, $104,000; Samuel Goldwyn, $189,000; Ben Goetz, $56,000; Sam Katz, $156,000; Arthur W. Kelly, $65,000; Herbert T. Kalmus, $60,000; Natalie Kalmus, $56,775; Harry Kalmine, $55,303; Sidney R. Kent, $179,220; Robert Kane, $52,000; Al Lichtman, $147,000; Arthur M. Loew, $356,074; F. W. Lovejoy, $111,791; Mervin LeRoy, $153,517; Jules Levy, $51,400; William LeBaron, $183,929; Ernst Lubitsch, $260,833.

Also, Harold Lloyd, $52,166; Edward J. Mannix, $130,000; W. C. Michel, $52,000; Abe Montague, $58,033; Sam E. Morris, $78,000; C. C. Moskowitz, $86,657; Floyd B. Odlum, $100,000; Harry Rapf, $104,000; William F. Rodgers, $50,900; J. Robert Rubin, $754,254; Hal Roach, $104,000; George J. Schaefer, $78,000; Sam Sax, $51,750; Joseph M. Schenck, $118,000; Gradwell L. Sears, $71,500; A. Schneider, $84,801; David O. Selznick, $203,500; Charles P. Skouras, $242,054; Spyros Skouras, $346,054; Edward Small, $62,648; Herman Starr, $52,000; A. W. Smith, Jr., $52,000; Walter Wanger, $130,000; Albert Warner, $98,333; H. M. Warner, $115,833; J. L. Warner, $137.333; Hal Wallis, $208,083; Jacob Wilk, $52,000; Sol M. Wurtzel, $182,583; H. J. Yates, $75,180; Darryl Zanuck, $260,000; Adolph Zukor, $210,479.

### Leading Radio Salaries

Leading salaries of radio and advertising agencies' executives were: David Sarnoff, $83,333; James G. Harbord, $56,000; W. B. Ryan, and W. B. Ruthrauff, $50,000 each; John U. Reber, $80,140; Stanley Resor, $90,140; Chester J. LaRoche, $59,500; A. and Raymond Rubicam, $67,500 each; E. R. Goble, $60,000; Alfred J. McCosker, $88,363; George W. Hill, $380,967; Bruce Barton, $56,750; Roy S. Durstine, $84,116; Chester Bowles, $52,000; Atherton W. Hobler, $54,000; William S. Paley, $190,196; Edward Klauber, $80,540; William C. Esty, $100,000; J. Stirling Getchell, $60,000; Arthur Kudner, $102,481; Phil Lennon, $80,000; Phillips H. Lord, $65,000; H. K. McCann, $54,983; Major Lenox R. Lohr, $50,239.

# Loew's Duals Stunt Utilizes 500 Twins

About 500 twins convened in Loew's Ziegfeld Saturday in an extensive exploitation campaign conducted by Oscar Doob for the forthcoming "bigger and better" double feature bills at Loew houses. Posters around town publicizing the fact that "Loew's is expecting twins," preceding the event, gained considerable attention in the newspapers and aroused city-wide interest.

New York's leading hotels participated. Waiters competed in a walking race burdened with a tray contai[illegible] an empty champagne bottle, a s[illegible] platter and glasses. Traffic on Si[illegible] Avenue from 53rd Street to 5[illegible]th Street was completely shut off for the contest. Award was presented to the winner by Judy Garland, juvenile M-G-M star.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# Now Comes Warners' Supreme

# Victory

FOUR DAUGHTERS
THE SISTERS
BROTHER RAT
ANGELS WITH DIRTY FACES
DEVIL'S ISLAND
DAWN PATROL
THEY MADE ME A CRIMINAL
WINGS OF THE NAVY
BLACKWELL'S ISLAND
YES, MY DARLING DAUGHTER
THE OKLAHOMA KID

"NOT MERELY TO MAKE MOTION PICTURES, BUT TO MAKE MOTION PICTURES AS FINE AS THEY CAN BE MADE."

*The production principle of Warner Bros. Studio as stated by Gradwell L. Sears*

DARK VICTORY
YOU CAN'T GET AWAY WITH MURDER
DODGE CITY
CONFESSIONS OF A NAZI SPY
NAUGHTY BUT NICE
FAMILY REUNION
THE KID FROM KOKOMO
JUAREZ
I AM NOT AFRAID
HELL'S KITCHEN
THE DEVIL ON WHEELS
EACH DAWN I DIE

# Bette Davi

# Dark

Film Daily says "this is one of the greatest emotional heart dramas ever produced and a sure Academy Award winner. The outstanding performance of motion picture's No. One Artist—Bette Davis. We are ready to stake our reputation that Dark Victory ranks as one of the Really Great motion pictures." Hollywood Reporter wrote, "this is a magnificent boxoffice smash; a picture which rises head and shoulders above any screen achievement of contemporary life; it will hold audiences breathless during its entire length." Boxoffice stated, "Dark Victory will rock boxoffices with returns." Jay Emanuel Publications said "this is a top grosser. If Warner Bros. had deliberately made a picture just to capitalize on Davis' winning the Academy Award they could not have made a better vehicle." Motion Picture Herald heralded this as a "made-to-marquee-measure attraction!" Showmen's Trade Review said "Bette Davis tops all her previous roles" Independent Exhibitors' Film Bulletin said, "one of the season's best boxoffice bets." Wrote Film Curb: "Bette's best!"

# Victory.

**Bette Davis' masterful Portrait of a Free Soul is a portrayal unapproached in excellence, even by this two-time winner of the Academy's 'Best Actress' award**

*A Production Noteworthy for the Remarkable Supporting Performances of*

# George Brent
# Humphrey Bogart

*The important new screen personality*

GERALDINE FITZGERALD

RONALD REAGAN · HENRY TRAVERS

CORA WITHERSPOON

*Filmed under the inspired direction of*

EDMUND GOULDING

Screen Play by Casey Robinson • From the Play by George Emerson Brewer, Jr. and Bertram Bloch
Music by Max Steiner • A First National Picture

# WARNER BROS.

*Producers*

RADIO CITY
MUSIC HALL
PREMIERE APRIL 20

# Four Solid Months of Magazine Advertising!

STUDY THIS FACE!
★BETTE DAVIS Brings You Her Crowning Triumph!
★DARI
EIGHT YEARS SHE HAS WAITED TO PLAY THIS ROLE!
THE PORTRAIT OF A FREE SOUL
NOW SEE THIS FACE ON THE SCREEN!

## Bloom Asks Honors For Alexander Bell

**Washington, April 9.—Congressman Sol Bloom of New York feels Alexander Graham Bell, inventor of the telephone and subject of a current 20th Century-Fox film, has been slighted in the honors passed out by Congress. So he plans to introduce a resolution providing for a Congressional medal in Bell's honor for his contribution to science. The idea was suggested by Charles E. McCarthy's exploitation department at 20th Century-Fox.**

## Warner Kansas City Staff Is Realigned

Kansas City, April 9.—Several changes in the local Warner sales force have been made by Rud Lohrenz, district manager. W. Don Woods will cover Kansas City and northern Missouri. Russell Borg, former branch manager for Grand National, takes over northern Kansas. Harry Gaffney has been brought in from the northern Missouri territory to act as head booker and office manager.

M. J. Hogan, office manger, is returning to the auditing department in New York. Ted Hammers of the booking department becomes Gaffney's assistant. Hiram Parks, who traveled northern Kansas, has been transferred to Dallas. Bob McConnell, who formerly covered the southern Missouri territory, has resigned.

## Richey to Take Part In Censor Symposium

H. M. Richey, director of exhibitor relations for RKO, will take part in a symposium on film censorship in Columbus on April 17. Together with Dr. Edgar Dale, head of the Bureau of Education at Ohio State University, he will oppose censorship, and a third speaker will take the opposite side.

The meeting is sponsored by the B'nai B'rith Hillel Foundation and willl be broadcast for one hour over WCOL.

## Columbia Acquires Third Spanish Film

Columbia has acquired the Spanish talking picture "Los Enredos de Pape," a Zacarias production, J. A. McConville, foreign manager, disclosed Friday. Columbia now has three such pictures for release in Latin America, McConville said. The others are the Grovas-Oro production, "Cada Loca Con Su Tema" and "Luces de Barriada," a Jose Luis Bueno production which is nearing completion.

## Warner Banquet Held

Mansfield, O., April 9.—Annual Warner Club banquet, with 85 local employes in attendence, was held at the Moose Temple. Frank Harpster, district manager, was the principal speaker, with William Dworski as toastmaster.

## RKO Spends $500,000 On 'Way' and 'Lincoln'

Acquisition by RKO of the screen rights to the play, "The American Way," now showing at the Center Theatre and the rights to "Abe Lincoln of Illinois," which is still in negotiation, will involve an investment by the film company of approximately $500,000. The purchase price of the former play includes Max Gordon's interest in it.

Purchase of the screen rights to "The American Way" was concluded on Friday by George J. Schaefer for RKO and Harry M. Goetz for Max Gordon Plays and Pictures Corp. RKO will finance and the latter will produce the picture.

Production will be the first under the recently closed deal by which Goetz and Gordon will produce two pictures a year for two years for RKO distribution. Additional pictures may be made but without RKO's participation in their financing.

## Set Parley April 15 On Okla. Buying Pool

Oklahoma City, April 9.—A steering committee of an independent exhibitors' buying pool will meet here on April 15 to work out details of the organization and lay the groundwork for a meeting in May. Its aim, according to sponsors of the organization, is to get independent film rental prices down to the level paid by the large circuits in Oklahoma. George Sumner is acting as contact man for the exhibitors.

## Sunday Film Bill Is Passed in Delaware

Dover, Del., April 9.—Measure to legalize Sunday films in Wilmington has passed the Delaware House by a vote of 20 to 14 and awaits the action of Gov. Richard C. McMullen. It had passed the Senate previously.

The bill, applying to cities of more than 25,000 population, affects only Wilmington, and provides for Sunday films after 2 P. M. if a referendum in Wilmington approves.

## Lourie Sets $250,000 20th-Fox Deal, Sails

Harry Lourie, Johannesburg merchant, sailed Friday on the *Queen Mary* after arranging for $250,000 from 20th Century-Fox for a theatre site in the South African metropolis.

The theatre will be built by the Lourie interests and will be operated under 20th Century-Fox supervision.

## Pathe Film Proxies Out

Pathe Film Corp. forwarded proxies to stockholders over the weekend in anticipation of the annual meeting on April 25. Purpose of the meeting is the election of directors and designation of auditors. Proxies named as directors Henry J. Guild, Allan P. Kirby, Robert M. McKinney, Louis Phillips, Charles A. Stone, Kenneth M. Young and Robert R. Young. All nominees, except Kirby and K. M. Young, are present directors. Price, Waterhouse & Co. have been nominated as auditors.

## 'Flashing Stream' At Biltmore Tonight

**"The Flashing Stream," by Charles Morgan, opens tonight at the Biltmore. It is a story of scientists experimenting with an aerial torpedo on an island in the mid-Atlantic. One of the scientists is a woman. The play previously enjoyed a five-month run in London. Victor Payne-Jennings is the producer and George Cross, the director. Included in the cast are Godfrey Tearle, Margaret Rawlings, Felix Aylmer, Anthony Ireland, Patricia Godfrey and others.**

## Browne Will Give Depositions in Suit

Hollywood, April 9.—George E. Browne, International president of I.A.T.S.E., will make two depositions Wednesday in Chicago for use in suits on file in Los Angeles Superior Court in the dispute between the alliance and Studio Technicians Local 37. Motions for taking the depositions were granted today.

International seeks a deposition for its suit to obtain a permanent restraint order against ousted officers of the Local. Counsel for the deposed officers of the Local want the deposition for use in their suit for $1,000,000 allegedly collected by International. Trial of both cases was set for Thursday.

## Iowa Senate Passes Fight Film Measure

Des Moines, April 9.—Measure to allow the showing of prize fight films in Iowa theatres has been passed by the Senate. The bill passed the House some time ago and will become a law with the governor's signature.

The Senate has passed and sent to the House a compromise chain store tax bill, after excluding an amendment which would have included theatres in the bill.

## Rogers Event June 6

Claremore, Okla., April 9.—The Will Rogers Memorial Commission has set June 6 as the date for the unveiling of Jo Davidson's statue of the cowboy philosopher in the rotunda of the national capitol. Will Rogers, Jr., attended his first meeting as a member of the commission.

## 'Bluebird' for Temple

Hollywood, April 9.—Maurice Maeterlinck's "The Bluebird" has been bought and will be produced in color for 20th Century-Fox with Shirley Temple as star.

## Col. Votes Dividend

Columbia board of directors has declared the regular quarterly dividend of 68¾ cents a share on the $2.75 convertible preferred, payable May 15 to holders of record May 1.

## Warners Lease Two

Warners have leased the Steuben and Strand in Hornell, N. Y., and will begin operation of the houses April 15.

## S.M.P.E. to Discuss New Standardization

Activities in the field of standardization of theatre sound equipment will be reported on at the S.M.P.E. Hollywood convention, April 17 to 21, by J. G. Hilliard, chairman of the Academy research committee on standardization.

Efforts to achieve a uniform excellency of sound reproduction to keep pace with advances in sound recording at the studios have been under way in the industry for several years past.

Other subjects of more than scientific interest to the trade which will be reported on at the convention include a review of the foreign film markets by Nate D. Golden of the M. P. Division of the Department of Commerce; educational films, by A. Shapiro, Chicago, and a television symposium. Reporting on the latter will be A. N. Goldsmith, chairman of the S.M.P.E. television committee; H. R. Lubcke of Don Lee Broadcasting Co.; E. W. Engstrom and G. L. Beers of RCA, who will discuss the application of motion pictures to television; P. T. Goldmark of Columbia Broadcasting; A. W. Protzman and W. C. Eddy of NBC, and A. B. DuMont of Passaic, N. J.

## Legion Approves 4 Of Six New Pictures

National Legion of Decency approved four of six films reviewed this week and found two objectionable in part. The films and their classifications follow: Class A-1, Unobjectionable for General Patronage—"Du Gamal, Du Fria," "The Night Riders," "Streets of New York" and "The Story of Alexander Graham Bell." Class B, Objectionable in Part—"A Man and his Wife" and "On Trial."

## Gets $9,000 Verdict Against Time, Inc.

A N. Y. Supreme Court jury on Friday awarded a verdict of $9,000 to Harrison Forman, cameraman, against Time, Inc., after a week's trial before Justice Timothy A. Leary. Forman claimed that in 1937 he had been asked by Time to shoot newsreels of the war in China, and that he was to be paid for all film footage shipped to Time.

## Monogram Drive to Precede Convention

Monogram has set "George W. Weeks Week" as part of the pre-convention sales drive. The tribute to the Monograms sales chief will be participated in by the company's 37 exchanges in the United States and Canada. The week will be from April 17 to 22.

The company's sales convention is scheduled for the Drake Hotel, Chicago, May 4-6.

## Plagiarism Suit Plea

Application to examine Darryl Zanuck and Samuel G. Engel before trial will be made today to the N. Y. Supreme Court by Stephen Tamas, plaintiff in a plagiarism suit against 20th Century-Fox Film Corp. He claims his scenario, "Stowaway," was plagiarized in the film starring Shirley Temple.

# Strike Settlement Is Made as Unions Yield to Government

*(Continued from page 1)*

I.A.T.S.E. contract made three years ago covers these men.

It was declared by the Department of Justice in an opinion rendered to union officials, following an investigation of the strike issues, that the union demands to cease delivery of films to non-I.A.T.S.E. theatres was an attempt to restrain trade and interstate commerce and therefore in violation of the anti-trust laws.

A threatened spread of the strike to the backroom help or white collar exchange employes and to theatres generally has been averted.

The union had asked for a reduction in employment time from 38 hours weekly to 35 and a 10 per cent wage increase, retroactive to September, 1937, from the present scale of $76.50.

### Union Merger Suggested

Another method which has been proposed to care for the local 306's desire to put its men in those theatres which presently do not have I.A.T.S.E. projectionists is to merge the independent Empire State union with 306.

Officials of Empire State, whose members are employed by Cocalis and Century circuits, have taken the position that any effort to coerce their members into joining Local 306 would violate the State labor relations law. They point out that the projectionists employed by the two circuits have designated Empire State as their collective bargaining agency.

Despite this, informal conferences have been held recently for merger of both unions. Although 306 is reported to be willing to absorb the employed operators, the conferences, which have been going on intermittently for several years, have been deadlocked on the question of membership for Empire State's unemployed. A recent get-together proposed a compromise to place the unemployed on a preferred list for membership in 306, but Empire State has rejected this.

### May Invite Basson

At a general membership meeting of Empire last Tuesday, a motion to invite Joseph Basson, president of 306, and a representative of the I.A.T.S.E. to address an Empire meeting was tabled because of the small number present. However, sentiment is reported friendly, and the next meeting on April 18 is expected to extend the invitation.

Sales managers met with Basson Friday afternoon to discuss revisions of the wages and hours schedules for home office and exchange projectionist room operators. Wages and hours issue for these employes was first broached to the distributors after the strike was under way. Sales executives say that at no time did they have any objection to discussing a revision of the scales with the union and accepted the first bid to do so which was made to them.

Local 306 came to the aid of Exchange Employes' Union, Local B51, Friday when checks of $15 each were issued to the back room employes who refused to walk through the projectionists' picket lines. Average pay of these employes is about $24 weekly.

# *1938 Loss of $50,900 For Met. Playhouses*

Metropolitan Playhouses, Inc., comprising 120 theatres in the metropolitan New York area, shows a loss of $50,900 for 1938. This compares with a net income of $98,317 for 1937.

Two items account in part for the difference between the two years. These are $56,727 in losses from nonrecoverable value of a surrendered lease and related notes receivable, and $40,257 as provision for impairment of investments in and receivables from affiliated companies, of which $11,830 is applicable to the year before. Also, dividends from affiliated companies were less.

Rent income for 1938 was $3,591,070, a drop of only $18,000 from 1937. Expenses increased, however.

Cash on hand and in banks totaled $313,727 as of Jan. 31, compared with $250,323 a year before. Theatres in the Metropolitan Playhouses group are operated by Randforce in Brooklyn and by Skouras in Manhattan, New Jersey, Westchester and on Long Island. Joseph M. Schenck is president of the corporation.

# *Paramount Plans 56 Features Next Year*

*(Continued from page 1)*

new season production plans with Y. Frank Freeman and William LeBaron at the studio.

Balaban said that the studio was in its most favorable position in years on the basis of completed pictures and that the position was being constantly improved. He said that by June 20 half of the company's more important product for the new season will be completed or in work.

Annual sales convention plans will be completed by Agnew within the next week or two. Indications are that two regional meetings will be held some time next month.

Balaban said that the Paramount board of directors had approved the proposed industry trade practice program and that the company, consequently, was prepared to accept the plan "without any qualification whatever."

The home office group will be at the studio until the end of the month and will stop off at Omaha, April 27, to attend the premiere of "Union Pacific," on their way back.

Freeman will continue on his studio assignment indefinitely, Balaban said.

# *Steuer Will Transfer Goldwyn Suit to Del.*

Max D. Steuer, counsel for Samuel Goldwyn, on Saturday stated that the voluntary withdrawal of Sam Goldwyn's suit against United Artists was a tactical step to ensure the earliest possible trial and decision in Goldwyn's dispute with United Artists.

Identical complaints, Steuer said, will be filed as soon as possible in the Federal Court in Delaware, home state of United Artists, and trial will be ensured by June or July.

Suit had been brought in the N. Y. Supreme Court, he said, because the calendar would have permitted a hearing in May, but the transfer to the U. S. District Court meant a delay of a year to a year and a half.

## *Music Hall Facade Beats Easter Parade*

**Radio City Music Hall appeared in its new Easter bonnet, at least it appeared, two days ahead of the Avenue paraders. On Friday it was that the last string piece was carted away marking completion of the demolition of the "L" in front of the RKO building.**

**The unsightly Sixth Avenue line structure had hidden the Hall entrance since its opening in December, 1932.**

# *Salesmen to Obtain Field Views on Pact*

*(Continued from page 1)*

ing their individual sentiments soon.

W. F. Crockett is president of the Virginia unit.

Allied Theatre Owners of Iowa and Nebraska will vote early next week, while the New York I.T.O.A. is scheduled to take action Wednesday.

Not all of the M.P.T.O.A. regional units favor the pact in its entirety. For instance, in St. Louis, they are insisting on higher cancellation rates.

### No Action by Allied

National Allied has taken no action on approving the pact on grounds that it is not complete from that organization's point of view, especially from the standpoint of arbitration, and and that it fails to offer independents sufficient relief.

John Rugar, president of Intermountain Theatres Association, Salt Lake City, has indicated his approval of the pact if it affords adequate relief to independents, otherwise he aims to support legislative action.

The distributors' group feels that the code is the most constructive move made to date for settlement of industry disputes and that it should be given a fair trial. The program is regarded as without precedent, and therefore changes in the procedure may be found necessary after it is put in operation.

The maximum of 20 per cent cancellation in the code is the most the distributors feel they can offer in view of reduced markets abroad.

"We welcome constructive suggestions from everyone on arbitration procedure," said W. F. Rodgers, a member of the committee. "All we ask is that the boards be equally balanced. We don't want more or less.

"What we would like to see is, if the exhibitors approve of the code, that the arbitration boards be set up as soon as feasible. They are the only tribunals offered for adjustment of just industry complaints, and the complainant can be absolutely sure of a fair hearing as he will appoint his own representative on the board."

# *N. J. Allied Meet Set*

Allied of New Jersey will hold a statewide meeting at the Roger Smith Hotel, New Brunswick, next Thursday. This will be an all-day meeting, and members of the industry are invited to a dinner in the evening.

## FRENCH 'SNOW WHITE' OPENS

Walt Disney's "Blanche-Neige et les Sept Nains" had its American premiere Saturday at the Waldorf.

# Republic Session to Open Wednesday

Republic Pictures will hold its Eastern regional sales meeting at the Park Central Hotel here on Wednesday and Thursday. This is the second of four meetings, the first having been held in Houston Friday and Saturday.

The third meeting will be held in Chicago, April 20 and 21. The fourth is scheduled for San Francisco, Ap 25 and 26.

Home office delegates to the sessions here are H. J. Yates, J. R. Grainger, G. C. Schaefer, Al Adams, Harry LaVine, Jack Bellman, William Saal, J. O'Connell, A. L. Pindat, Charles Jones, D. Whalen and H. Marcus.

Other delegates are:

New York: Herman Gluckman, Morris Epstein, Sidney Picker, D. Sohmer, D. Black, A. Ricci, R. Fannon.

Boston: Herman Rifkin, M. E. Morey, Sam Seletsky, Jack Davis, Al Fecke, Jack Jennings, Charles Wilson.

Cleveland: Nat Lefton, Al Lefton, S. P. Gorrel, L. Mishkind, Al Gregg, F. Belles, J. Lefton, R. Norton.

Pittsburgh: J. H. Alexander, Sam Fineberg, George Collins, E. Wheeler, L. Hanna.

Washington: Sam Flax, Jake Flax, Morris Oletsky, Ed Martin.

Philadelphia: Max Gillis, F. Hammerman, G. Fishman, W. Karrer, N. Silverman, J. Lewis.

Cincinnati: Max Margoils, C. Kirby, C. Weinberg, C. Littman.

New Haven: George Rabinowitz.

Toronto: A. M. Perry, Paul Nathanson.

# *Jim Roosevelt Hopes To Stay in Pictures*

*(Continued from page 1)*

miere of "Wuthering Heights" and he probably will attend the Paris opening, but plans to spend most of his time in the British capital and will sail for New York on the *Normandie* April 26.

He said he will see Alexander Korda, London Films producer, but had nothing in particular to discuss with him. Goldwyn has asked Roosevelt to give Korda "his best regards," he added.

Before closing the interview, he said he knew nothing of reports that he was to be associate producer of a Marine Corps picture Goldwyn is planning.

"I've got to learn more about the business before becoming a producer," he said.

# *Hearing on Neely Bill Nears Windup*

*(Continued from page 1)*

first to testify today. His statement was interrupted last Thursday by arrangements for adjournment of the hearing. Schaefer is scheduled to follow Rodgers. Ed Kuykendall, M.P.T.O.A. president, also is scheduled to speak against the bill today.

C. C. Pettijohn, M.P.P.D.A. counsel, will sum up the industry's opposition to the measure, and Abram F. Myers, Allied States general counsel, is expected to deliver the summation for the bill's proponents.

*it's*

# MIDNIGHT

*at*

# 8:30 A.M.

*on*

# BROADWAY

*time to turn* ➔

# CROWDS JAM N.Y. PARAMOUNT

## at 8:30 opening of year's hit comedy!

**What the N. Y. Times said about "Midnight"** ➡

"THREE CHEERS...one of the liveliest, gayest, wittiest and naughtiest of a long hard season!"

**What the N. Y. Sun said about "Midnight"** ➡

"A TREAT...one of the gayest and consistently amusing films to come out of Hollywood this season!"

**What the Daily News said about "Midnight"** ➡

"SCINTILLATING COMEDY . . . will bring new light and plenty of laughter to the corner of B'way and 43rd St."

**What the N. Y. Post said about "Midnight"** ➡

"A WINNER with more than its share of hilarious situations. Unusually diverting."

**What the Paramount Box-Office said about "Midnight"** ⬇

"THE BIGGEST week-day opening in six months!"

Claudette
**COLBERT**
Don
**AMECHE**
in
**"MIDNIGHT"**
with JOHN BARRYMORE
FRANCIS LEDERER
MARY ASTOR
Directed by MITCHELL LEISEN • Screen Play by Charles Brackett and Billy Wilder
Based on a story by Edwin Justus Mayer and Franz Schulz • A Paramount Picture

Paramount Pictures

### Managers, Cashiers Compete on Program

**Trans-Lux theatre managers will pit their wits against girl cashiers on the "Battle of the Sexes" program tomorrow night over the NBC-Red network at 9 P. M. The managers are Weber Schoening of the Broadway Newsreel Theatre, New York; Roland Robbins of the Trans-Lux, Washington; Harry Jordan of Philadelphia and Alfred Lander of Boston. The girls include Margaret Bickel, cashier at Madison Avenue and 60th St.; Myrtle Candee, cashier at the Broadway newsreel; Gene Scott, cashier at Lexington Ave. and 52nd St., and Frances Davis, cashier at Madison Ave. and 85th St.**

### WHK Joins Mutual Facsimile Network

WHK, Cleveland will join the Mutual facsimile network this week, increasing the total of participating stations in the network to four. WGN, Chicago; WOR, New York and, WLW, Cincinnati, are the charter members of the experimental chain.

It is over the Mutual facsimile network that 20th Century-Fox recently effected a tieup for broadcasting of news exploiting the film company's product.

### Ottawa Won't Give CBC Staff Salaries

OTTAWA, April 9. — The Radio Committee of Parliament has decided against making public records of salaries and expense accounts of employees of the Canadian Broadcasting Company. It was agreed that publication might cause dissension among CBC employees. CBC officials told the committee it would willingly provide the information privately to its members.

### Would Limit Disc Use

HARRISBURG, PA., April 9.—Bill to prevent use of transcriptions without the performer's consent has been introduced in the state legislature by Representative Charles E. Voorhees. Although primarily intended to prevent rebroadcasts of political speeches without the candidates' consent, the bill would also protect entertainers. It is not given much chance of passage here because legislative leaders believe it would interfere with F.C.C. jurisdiction.

### Derby Announcers Set

HOLLYWOOD, April 9.—Ted Husing, sports announcer; Bryan Field, race expert and Bob Trout will announce for the 20th Century-Fox broadcast of the Kentucky derby in conjunction with "Rose of Washington Square."

### Renew Williams Show

J. B. Williams Co. has renewed again Bob Howard's "Gliding Swing" series on WEAF. Renewal is for 13 weeks, effective April 20. J. Walter Thompson is the agency.

# Radio Personals

MIKE FOSTER of the CBS press department to Canada to prepare for the coming visit of the King and Queen of England. . . . Star Radio has just signed Jack Rostan as new writer on the "Morning Bulletin Board" program. . . . Marie Calhoun has joined the Compton agency. . . . Dorothy Kilgallen, they say, is about set to substitute for Walter Winchell on the air during the summer. . . . Regina Wallace and Tom Shirley have joined the "Aldrich Family" sketches on the Kate Smith show.

### WQXR Broadcasts News from AP Daily

WQXR is now broadcasting news supplied by the Associated Press, on five-minute news periods daily in the early morning and evening, in addition to special bulletins which are broadcast as received.

Station has just signed a contract with Lennen & Mitchell, representing P. Lorillard & Co., whereby all time signals are to be used in promoting Deities cigarettes. The contract is for one year. Other contracts placed with WQXR recently are for Railway Express Agency, through Caples Co.; Conti Shampoo through Bermingham, Castleman & Pierce, and Packard Motor Co., through Young & Rubicam.

### 'March of Time' May Quit Air for Summer

Status of "March of Time" again is up in the air, with Time, Inc., sponsorship of the series ceasing as of the program of April 28. One of two possibilities looms. Either Batten, Barton, Durstine & Osborn, the agency handling the show, will obtain a substitute sponsor, as in previous summers, or the show will leave the air. Currently it is heard Fridays from 9:30 to 10 P.M. on the Blue network.

### Lord Has New Show

Phillips H. Lord has written a new program which is being produced as a sustaining series by NBC over the Red network, at 7 P.M. This is the period occupied for the past 10 years by Amos 'n' Andy, who have moved over to CBS. The Lord program is a racket-busting show titled "Mr. District Attorney," and will be broadcast Monday through Friday.

### Aldrich in Benny Spot

Aldrich Family sketches, with Ezra Stone, currently a feature of the Kate Smith series, will serve as the summer replacement for Jack Benny and troupe. The starting date for the summer series is July 2. Young & Rubicam set the replacement.

### To Sponsor Preakness

American Oil Co. for the fourth successive year will sponsor a description of the running of the Preakness on May 13. Broadcast will be heard over split networks of NBC's Red and Blue, 22 stations. Deal was set by the Joseph Katz agency.

## FCC Calendar

WASHINGTON, April 9. — Federal Communications Commission, has announced that hearings on broadcasting applications will be held, as follows:

April 11: Application of W. B. Greenwald for a 1,370-kilocycle station at Topeka, Kan., with 100 watts night, 250 watts day.

April 12: Applications of WHMA, Anniston, Ala., for extension of time from day to unlimited, and WMBR, Jacksonville, for change of frequency from 1,370 to 1,120 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

May 8: Application of WICA, Ashtabula, O., for increase of power from 250 to 1,000 watts.

May 12: Applications of KROY, Sacramento, for extension of time from day to unlimited, and KTSW, Emporia, Kan., for extension of time from day to unlimited.

May 15: Applications of The Monocacy Broadcasting Co., for a new 1,140-kilocycle, 250-watt daytime station at Rockville, Md.; KOVC, Valley City, N. D., for change of frequency from 1,500 to 1,340 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day, and KGNO, Dodge City, Kan., for increase of power from 250 to 500 watts.

May 16: Application of John R. Pepper for a new 1,310-kilocycle station at Greenville, Miss., with 100 watts night, 250 watts day.

May 29: Applications of Gazette Co., for a 1,420-kilocycle, 100-watt station at Cedar Rapids, Ia., and Brown County Broadcasting Co., for a 990-kilocycle, 1,000-watt daytime station at Brownwood, Tex.

June 1: Applications of C. T. Sherer Co., Inc., for a 1,200-kilocycle station at Worcester, with 100 watts night, 250 watts day, and WJMS, Inc., for a 1,370-kilocycle, 100-watt station at Ashland, Wis.

#### Applications Received

The commission has received an application from the Las Vegas Broadcasting Co., for authority to construct a new 1,370-kilocycle station at Las Vegas, Nev., with 100 watts night, 250 watts day, together with applications from WOSU, Columbus, for increase of night power from 750 to 1,000 watts; KVWC, Vernon, Tex., for increase of day power from 100 to 250 watts and WMFR, High Point, N. C., for increase of day power from 100 to 250 watts.

Hearings, at dates to be set later, were ordered on the applications of KUTA, Salt Lake City, for change of frequency from 1,500 to 570 kilocycles and increases of power from 100 to 1,000 watts; WSPA, Spartanburg, S. C., for change of frequency from 920 to 1,120 kilocycles and extension of time from day to unlimited with 500 watts night, 1,000 watts day, and KALE, Portland, Ore., for increase of day power from 1,000 to 5,000 watts.

Authority to construct new broadcasting stations has been asked of the commission by the Mayflower Broadcasting Corp., Boston, seeking a 1,410-kilocycle station with 500 watts power at night, 1,000 watts day, and the Silver Crest Theatres, Yuma, Ariz., planning a 1,420 kilocycle, 100 watt station.

The commission also has received applications from WABI, Bangor, Me., for change of frequency from 1,200 to 560 kilocycles and an increase in power from 100 watts night, 250 watts day, to 1,000 watts, and from WTNJ, Trenton, for an increase in day power from 500 to 1,000 watts.

Application for authority to construct a new 1,420-kilocycle, 100-watt station has been filed by Samuel M. Emison, Vincennes, Ind., and WCOV, Montgomery, Ala., for extension of time from day to unlimited.

## Radio Department At N. Y. U. In Fall To Give Full Course

A department of radio will be established next September by New York University in its Washington Square College. N. Y. U., it is believed, is the first liberal arts institution in the country to offer a four-year course in radio. Completion of the course will lead to a Bachelor of Arts degree.

Robert S. Emerson, assistant in production at CBS, will resign from the network to head the new department.

At the same time as the course is established, N. Y. U. will coordinate all its radio activities into the University Radio Workshop which will include in the curriculum courses for adults offered by the Division of General Education, and broadcasts by students and faculty.

The University's Division of General Education will offer the sixth annual summer session in the Radio Workshop from July 5 to August 12. Teaching staff for the adult courses will include Doug Coulter, assistant program director of CBS; Phil Cohen, production director of the radio division of the U. S. Office of Education; Earle McGill, CBS casting director; Max Wyle, CBS director of scripts and continuity, and Robert Emerson.

Special lecturers will include Alice V. Keliher of the Progressive Education Association; Professor Lyman Bryson, CBS Adult Education Board; Paul White, CBS director of news and special events; Nila Mack, CBS director of children's programs; Felix Greene of the British Broadcasting Corp. and Arthur Pryor, Jr., vice-president in charge of radio, Batten, Barton, Durstine & Osborn.

### AP News on WBNX

WBNX has subscribed to the regular Associated Press news service airing five-minute periods Monday through Friday daily, augmented by special bulletins throughout the day and evening. Supplementary periods will be presented in various foreign languages.

### 'Hit Parade' Renewed

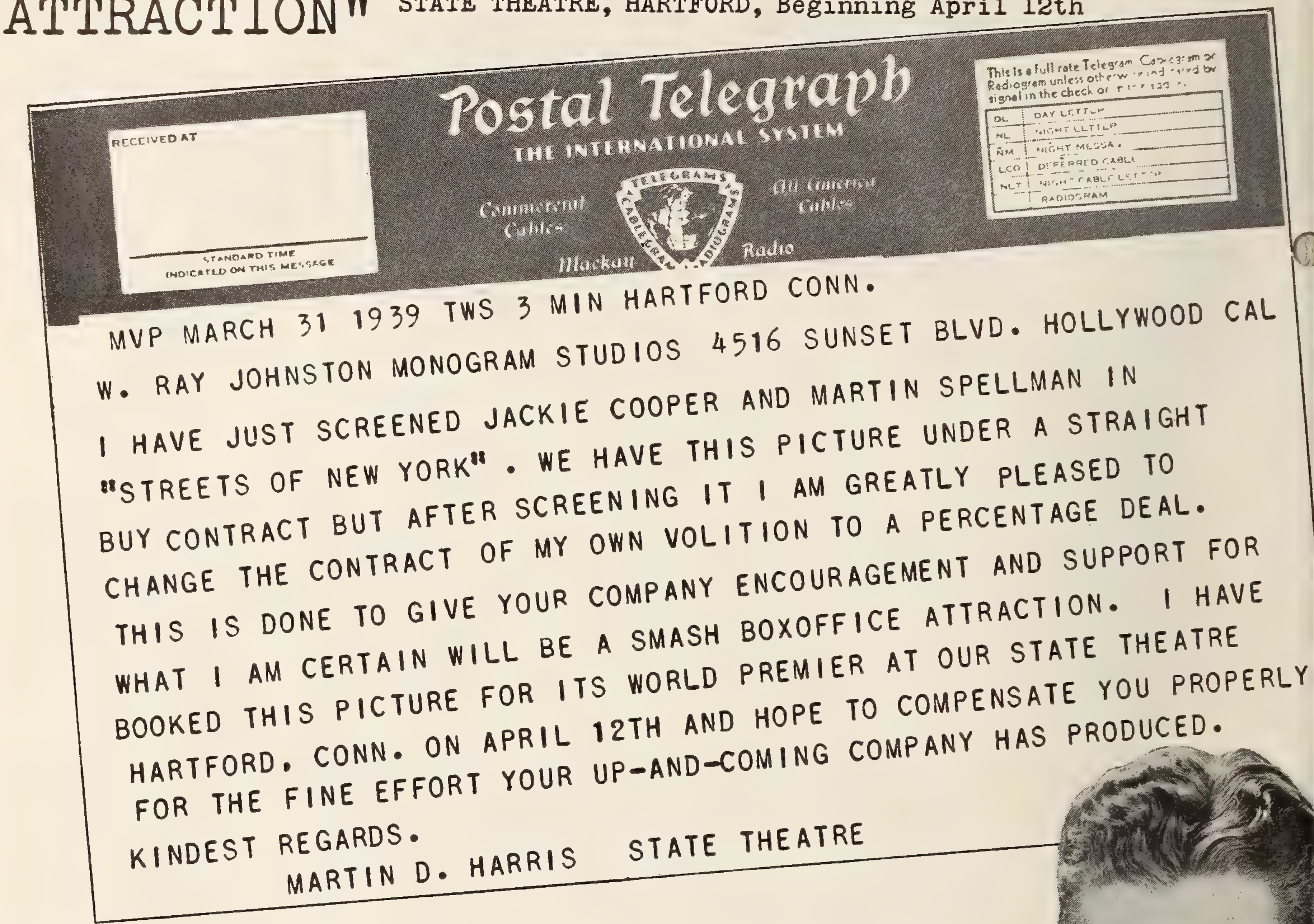
American Tobacco Co., sponsoring "Hit Parade" over CBS, has renewed the program for another 13 weeks over 100 CBS stations. Program, placed by Lord & Thomas, is broadcast Saturdays from 10 to 10:45 P.M. The renewal is effective May 6.

### WHO Musician Weds

DES MOINES, April 9.—Boris Radoff, WHO musician, was married to Mrs. Elza Bierring Rains of Des Moines at the home of the bride's parents here on April 7.

# "HAVE BOOKED THIS PICTURE FOR WORLD PREMIER-CERTAIN OF A SMASH BOX-OFFICE ATTRACTION"

STATE THEATRE, HARTFORD, Beginning April 12th



Postal Telegraph
THE INTERNATIONAL SYSTEM
Commercial Cables
All America Cables
Mackay Radio

RECEIVED AT
STANDARD TIME INDICATED ON THIS MESSAGE

This is a full rate Telegram Cablegram or Radiogram unless otherwise indicated by signal in the check or

| | |
|---|---|
| DL | DAY LETTER |
| NL | NIGHT LETTER |
| NM | NIGHT MESSAGE |
| LCO | DEFERRED CABLE |
| NLT | NIGHT CABLE LETTER |
| | RADIOGRAM |

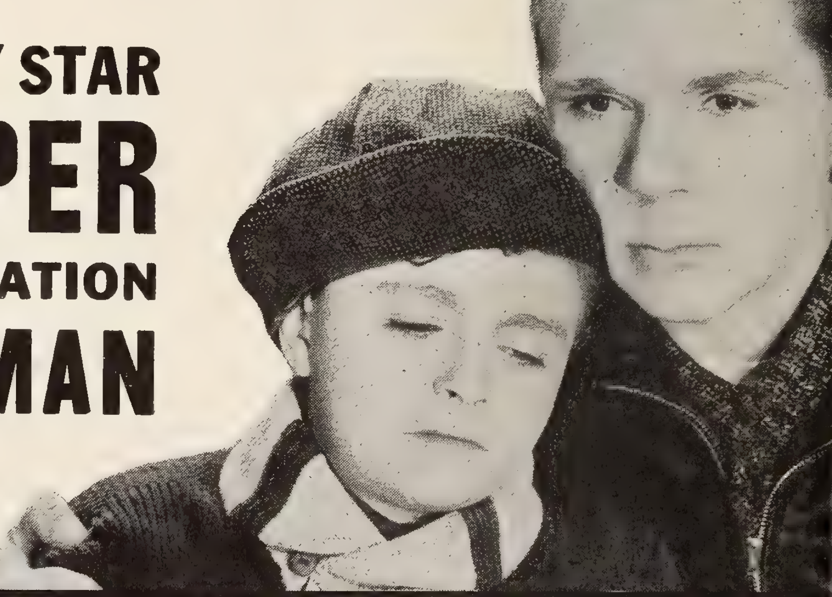
MVP MARCH 31 1939 TWS 3 MIN HARTFORD CONN.

W. RAY JOHNSTON MONOGRAM STUDIOS 4516 SUNSET BLVD. HOLLYWOOD CAL

I HAVE JUST SCREENED JACKIE COOPER AND MARTIN SPELLMAN IN "STREETS OF NEW YORK". WE HAVE THIS PICTURE UNDER A STRAIGHT BUY CONTRACT BUT AFTER SCREENING IT I AM GREATLY PLEASED TO CHANGE THE CONTRACT OF MY OWN VOLITION TO A PERCENTAGE DEAL. THIS IS DONE TO GIVE YOUR COMPANY ENCOURAGEMENT AND SUPPORT FOR WHAT I AM CERTAIN WILL BE A SMASH BOXOFFICE ATTRACTION. I HAVE BOOKED THIS PICTURE FOR ITS WORLD PREMIER AT OUR STATE THEATRE HARTFORD, CONN. ON APRIL 12TH AND HOPE TO COMPENSATE YOU PROPERLY FOR THE FINE EFFORT YOUR UP-AND-COMING COMPANY HAS PRODUCED.

KINDEST REGARDS.

MARTIN D. HARRIS STATE THEATRE



**YOUR *"BOY OF THE STREETS"* STAR**

# JACKIE COOPER

**THE NEW JUVENILE SENSATION**

# MARTIN SPELLMAN

**WITH**

**MARJORIE REYNOLDS**
**DICK PURCELL**

# "STREETS OF NEW YORK

Directed by **WILLIAM NIGH** • Screenplay and Original Story by **ROBERT D. ANDREWS**

***A MONOGRAM PICTURE***

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 45. NO. 69 NEW YORK, TUESDAY, APRIL 11, 1939 TEN CENTS

# ll Exchange Strikers Are Back at Work

## 'ontract Date Only Snag To Signing Agreement

New York exchange operations ere back to normal yesterday followg the settlement late Saturday night the I.A.T.S.E.-Local 306 projecon room strike which for a time held e threat of a stoppage of film deliveries and a shutdown of theatres in e metropolitan area.

Sunday shipping room crews reorted for work at all exchanges imediately following the settlement and l regular employes were back on e job yesterday. Net result of the rike was a 15 per cent wage increase etroactive to September, 1937, in inances where such an increase had ot been put into effect earlier by the istributors. The union lost its deand that two operators be hired for

(Continued on page 4)

# asey Says No Plan Is Set for Musicians

No definite proposal for large-scale eemployment of musicians in theatres r elsewhere in the industry has been eveloped by heads of the large comanies for submission to the American Federation of Musicians' execuve committee at the joint meeting cheduled for next Monday, Pat asey, producers' labor representative, aid yesterday. Casey arrived from e coast by train, Sunday.

Company heads will meet the Federation committee, headed by Joseph . Weber, president, in Casey's office or their third conference on the remployment subject. Several proosals have been advanced heretofore ut were rejected because of considrations of practicability.

Casey said no date has been set yet or negotiations under the studio basic greement but that one may be reuested by the internationals in the ear future. Presumably, I.A.T.S.E. ould not participate in the negotiaions this year after having granted ocal autonomy to its studio locals, ut if administration of the internaional was again centralized the I. A. vould undoubtedly reenter the agreeent. An extension of the pact beond 1941, its expiration date, may e discussed this year with the Teamters & Chauffeurs, Musicians, Carenters & Joiners and Electricians inernationals, which are still parties to he agreement.

## *Head of Florida U. Quits Neely Support*

**Washington, April 10.—Senator Smith read into the record of the Neely Bill hearings today a telegram from president of the University of Florida to Senator Pepper, withdrawing his support of the Neely Bill voiced in 1936.**

**"I since have observed improvement in motion pictures and have learned more about their economic and social problems," the telegram explained, stating that while the university head still supported its objectives he does not think that legislation is the best way of achieving them.**

# Reich Newspapers Forbidden to Refer To American Films

BERLIN, April 10.—German newspapers have been forbidden by the Ministry of Propaganda henceforth to mention American films. Recently also, the *Hamburg Tageblatt* in a full-page article suggested a Nazi boycott of American films in retaliation for the making of "Confessions of a Nazi Spy," by Warner Bros.

In the same article it was suggested

(Continued on page 4)

# Columbia Will Hold 3 Regionals, First Atlantic City May 8

Columbia will hold three regional sales conventions this year, in Atlantic City, May 8-11; Chicago, May 14-16, and Los Angeles, May 20-22. Abe Montague, general sales manager, will preside at all three sessions.

Jack Cohn and all home office executives will be present at the Atlantic City meeting, including Rube Jackter, Louis Astor, Louis Weinberg and Max Weisfeldt. The delegation to the first session will be headed by New York Division Manager Nat Cohn, Mideast Division Manager Sam Galanty and Southern Division Manager Sam Moscow. The Chicago group will be led by Phil Dunas, Midwest division manager, and Carl Shalit, central division manager, while Jerome Safron, western division manager, will lead the Los Angeles unit.

Home office executives, branch managers and the entire sales force in each territory will be present at the respective meetings. Branch groups to attend each session include: Atlantic City—Albany, Boston, Buffalo, New Haven, New York, Philadelphia, Cincinnati, Cleveland, Pittsburgh, Washington, Atlanta, Charlotte, Dallas, Memphis, Oklahoma City, New Orleans. Chicago—Chicago, Des Moines, Milwaukee, Minneapolis, Omaha, Detroit, Indianapolis, Kansas City, St. Louis. Los Angeles—Los Angeles, Denver, Portland, Salt Lake City, Seattle, San Francisco.

# *Industry Mobilizes Forces For Greater New York Fund*

By SAM SHAIN

J. R. Rubin

Under leadership of J. Robert Rubin, vice-president and general counsel of Loew's, and an amplified general committee of 20 or more industry chieftains, every branch of the motion picture industry in New York City will be mobilized for service in the coming $10,000,000 drive of the Greater New York Fund. This Greater New York Fund, with exception of the Red Cross is the only all-inclusive and non-sectarian public charity. It serves all groups even the Salvation Army to some degree. The drive starts April 17 and runs until May 30.

The industry will be segregated craft by craft and division by division, from production to distribution, and exhibition to newsreels, talent, accessory, equipment and purchasing groups. A comprehensive and intensive concentration of all these units is planned. From plans which were tentatively discussed at an organization meeting held in Rubin's offices in the Loew Building yesterday, it was learned this year's effort by the industry will surpass anything hithertofore attempted.

The goal this year is $100,000, whereas last year, the industry raised $65,000.

In addition to a general committee a special committee of exhibitors will

(Continued on page 4)

# Schaefer Sees Neely Bill as Raising Costs

## *Tells Senators It Would Ruin Some Exhibitors*

George Schaefer

WASHINGTON, April 10. — Increased selling costs which would follow enactment of the Neely Bill would put some independent exhibitors out of business and would require higher theatre admission prices at all theatres, George J. Schaefer, RKO president, told members of the Senate Interstate Commerce subcommittee with the resumption of hearings on the anti-block booking bill today.

Schaefer said that it would be extremely difficult for producing and distributing companies to comply with the provisions of the bill without increasing costs to exhibitors and the public. In its basically hampering effect on the industry because of its "impractical and restrictive provisions," it is "fundamentally more vicious and offers a far greater threat to the prosperity of the industry" than all of the legislation and restrictive provisions operating against American firms in foreign markets, he said.

Schaefer denied that the bill would result in better community selection of films or, in fact, would alter the source material of films in any respect. He pointed out that authors

(Continued on page 4)

## *McCausland to Join Edington Coast Unit*

A. H. McCausland, trustee's representative in RKO for the past six years, will become associated with Famous Productions, Harry Edington's new organization at Universal in about two weeks. He will make his headquarters on the coast.

McCausland's resignation from Irving Trust Co., reorganization trustee of RKO, becomes effective on the return to New York from the coast some time next week of Andrew Christiansen, Irving Trust official, who will take over McCausland's RKO work pending consummation of the company's reorganization.

## Producer Subsidy Planned in Mexico

A $1,000,000 subsidy to producers operating in Mexico is planned by the Mexican Government, as a means of encouraging local production, according to William Rowland, producer of Spanish language films for RKO.

Rowland returned last week from Mexico City where he made "Perfida," his second film in a series of four which RKO will distribute in Latin America and Spain. He plans to leave next weekend to start his third film, "Love at Ninety Degrees."

Columbia, Universal, United Artists and RKO are sponsoring production in Mexico. Actual contracts by these companies are for 22 films, which is equivalent to almost one-half the total production in Mexico City, and within a year 75 per cent of all production will be subsidized by the American major companies, Rowland believes.

## *I.T.O.A. Approves Practice Program*

New York I.T.O.A. approves the proposed trade practice code, feeling that it is a forward step. However, officials find certain errors in the draft submitted by the distributors, but believe that they can be ironed out in future conferences.

The code will be discussed at a membership meeting at the Astor tomorrow, and out of the meeting is expected to come suggestions which will be submitted to the distributors' committee. Some of these suggestions will be on arbitration.

Harry Brandt, president of the I.T.O.A., participated in the trade practice negotiations with the distributors.

### Denver Group Endorses

Denver, April 10.—Theatre owners and Managers of the Rocky Mountain Region, while not favoring the trade practice code in its entirety in the present form, today went on record as heartily endorsing "an equitable form of arbitration."

The organization feels that the proposed code is a step in the right direction and believes the differences can be worked out by amicable agreement, preferred to Government interference.

Charles R. Gilmour is president of the unit, one of the unaffiliated regional groups which negotiated the code with the distributors.

## *Laurel Rejoins Roach On Loan to Morros*

Hollywood, April 10.—Stan Laurel has withdrawn his $700,000 suit against Hal Roach and rejoined the studio contract list. He will reteam with Oliver Hardy in a loanout to Boris Morros in a remake of the French "L'Aviateurs." Morros will set the release deal this week for independent production. Harry Langdon, who supplanted Laurel during the contract dispute, will remain on the Roach roster as a writer.

# *◀ Purely Personal ▶*

JAMES P. CUNNINGHAM, news editor of *Motion Picture Herald,* is the father of a boy, born Sunday to Mrs. Cunningham at the Westchester Square Hospital, Bronx.

•

Walter Branson, captain of the George Schaefer RKO sales drive, and Harry Michalson, short subject sales manager, will be in Buffalo today, near the end of their tour of 38 exchanges. They will be in Albany tomorrow, Boston and New Haven Thursday and back at the home office Friday.

•

Eddie Aaron, assistant to W. F. Rodgers, M-G-M general sales manager, drove his family to Rochester, Minn., where is mother-in-law is ill, and he is now traveling in the south.

•

Robert M. Weitman, manager of the Paramount, is confined to his home with the grippe. He is not expected to return to his desk for several days.

•

Frank Gillmore, president of the Associated Actors & Artistes of America, and Paul Turner, counsel, returned yesterday from a three-week vacation trip.

•

Mannie Reiner of Lou Lifton's advertising staff at Monogram is in Hartford handling the premiere of "Streets of New York" at the State tomorrow night.

•

Fred Astaire and Ginger Rogers have been awarded the National Dance League honors for the best film on the American dance, for their work in "The Story of Vernon and Irene Castle."

•

Sam Sax will leave Chicago today for the coast to confer with Warner executives on his new duties as head of Warners' Teddington studios in England. Sax sails for his new post April 21.

BEN KALMENSON, western and southern sales manager for Warners, returned yesterday from a two-weeks' business trip to the west and south.

•

Peter Rosian, former Grand National branch manager in Cleveland, has joined the Universal sales staff there.

•

Tyree Dillard, M-G-M attorney, returned yesterday from a three-week rest at his home in Greensboro, N. C.

•

Harry F. Shaw, Loew-Poli division manager in New Haven, and Mrs. Shaw have returned from a southern cruise.

•

John Urbansky, Cleveland theatre owner, and Mrs. Urbansky have left for a California vacation.

•

B. E. Hoffman, Warner Theatre executive in New Haven, has returned from a cruise.

•

Leo Schapiro, Lou Moscow, Barney Pitkin, Leo Bonoff, Mrs. Philip Saslau are the New Haven film folk who have returned from Miami vacations.

•

Lya Lys arrives from the coast next Monday for personal appearances at the Strand with the opening of "Confessions of a Nazi Spy" in which she is featured.

•

Joseph Bernhard, general manager of Warner Theatres, returned to his desk yesterday after a week of conferences on the coast.

•

Anna May Wong will arrive in New York by train on Thursday, and will return to the coast April 28.

•

Louis Patz has resigned from Grand National in Cleveland, to join National Screen Service in Milwaukee.

## *Turrou to Speak at Ampa Meet Thursday*

Leon Turrou, former G-man, on whose investigations Warner based its "Confessions of a Nazi Spy," is scheduled to speak at the Ampa luncheon at the Astor on Thursday. Joe Penner also is on the program.

Election of officers will take place, with Paul Lazarus, Jr., and the nominated slate scheduled to be elected.

## *N. M. Schenck Is at Studio for Parleys*

Nicholas M. Schenck, president of M-G-M, arrived on the coast yesterday for studio conferences. He is accompanied by Leopold Friedman, company attorney. Their stay is indefinite.

Schenck was due on the coast three weeks ago, but was delayed by the operators' strike and a cold.

## *Ayres Leaves Para.*

London, April 10.—After 23 years service for Paramount, Edward Ayres has resigned as secretary of that company here and has been succeeded by P. D. Cornwell. Ayres remains as a director.

## *To Plead Not Guilty In Moss Game Fight*

Christos Carnavos, manager and part owner of the Momart, Brooklyn, will enter a plea of not guilty in Special Sessions Court today on charges of operating a lottery.

A police complaint was filed against Carnavos last week. The game involved is "Whirlwin." This case is believed to be another move by License Commissioner Paul Moss to test the legality of chance games. Harry G. Kosch, counsel for New York Allied, represents the defendant.

## *Sally Fisher Quits Allied*

Sally Fisher, in charge of the New York office of New Jersey Allied, has resigned. She held the post several years. Yesterday she started as secretary in the office of Eastern Pennsylvania Allied in Philadelphia. Sidney Samuelson is business manager of the unit.

## *M. & P. Buys Site*

Boston, April 10.—M. & P. Theatres has purchased a site here for a new theatre, to be called the Circle.

## New Foreign Policy Outlined by Balaban

Hollywood, April 10.—Paramoun will concentrate on the foreign markets which are still open to Hollywood product as a means of offsettin the loss of Central European outlet Barney Balaban, president, said o his arrival here today from York. He intimated that special production attention would be given th entertainment preferences of the Lati American and British markets.

Balaban said the policy would relieve the company of the necessity o reducing its new season productio schedule. He was accompanied her by six home office executives who wil participate in new season productio conferences during the next two o three weeks.

Arriving with Balaban were Stanto Griffis, Neil Agnew, Edwin Weisl Leon Netter, Russell Holman an Robert M. Gillham. Conferences wit William Le Baron and Y. Fran Freeman got under way immediatel

## *Complaint of Studio Union Is Dismisse*

Hollywood, April 10.—I.A.T.S.E International officers today won second round of litigation with depose officers of Studio Technicians' Loca 37 when Superior Judge E. H. Wilson dismissed without prejudice th amended complaint filed by ouste officers against the Alliance. At th same time the court rescinded granting of motion to take depositions fron George Browne, International president. Rose announced he would fil a new amended complaint within te days.

Local 37 officers yesterday wire U. S. Attorney General Frank Murphy asking for an investigation o "labor racketeering" in connectio with I.A.T.S.E. International activities.

## *Music Benefit May 7*

Fifth annual benefit show by th Professional Music Men's Associatio will be held at the Alvin on May 7 Proceeds of the affair go to the organization's charitable fund.

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

MARTIN QUIGLEY, Editor-in-Chief an Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# THE STORY OF ALEXANDER GRAHAM BELL

AMERICA'S MOST THRILLING STORY!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

# Schaefer Sees Neely Bill as Raising Costs

(*Continued from page* 1)

and dramatists would not be influenced by the measure to produce different works consistent with the ideas of the Neely Bill's proponents.

"The burden of proof," Schaefer said, "is on the proponents of the bill to show that there is a lack of community freedom in the selection of motion pictures at the present time, and that the provisions of this bill would give a substantially greater community freedom. It further devolves upon the proponents to establish that the present practices of buying and selling are unduly burdensome to the independent exhibitor and that such trade practices are monopolistic, both of which I deny vigorously."

Schaefer pointed out that under the present system approximately seven features a week are shown in 400 cities in the United States, providing plenty of leeway for community film selection and patronage. He said that every worthwhile film is eventually shown in as many as 10,000 or 11,000 theatres in this country, and that the 6,000 or 7,000 remaining theatres are eliminated by competitive considerations from showing the same films. "Snow White and the Seven Dwarfs" has had 9,000 bookings to date, he said.

Schaefer related that there is no evidence to show that the exhibitor uses his cancellation privilege to eliminate from his programs pictures of questionable moral content. He pointed out that independently made pictures such as "Ecstasy," "Birth of a Baby," "Goona Goona" and "Nudist Camp" were sold singly by their distributors.

### Costs Would Be Greater

RKO plans to make 48 pictures at a cost of $20,000,000 to $25,000,000 next season, he said, and declared that investments of that magnitude are deserving of freedom from "hamstringing" legislation. He said that production and distribution costs would be greater under the bill, that exhibitors would be prevented from buying "wholesale" and, therefore would be obliged to pay higher rentals and that all of the increased costs would be passed on to the public in higher admission prices.

"For that reason the bill is against the public interest," Schaefer said.

"This whole business is predicated upon profit," Chairman Smith interjected. "They cannot go on making pictures that do not sell; that is fundamental; and what, in your opinion, Senator, could be the moral uplift if you leave it to the exhibitor to select his pictures and he selected the wholly moral ones and nobody came?"

Following presentation of Schaefer's prepared statement, hearing recessed until tomorrow, when he will go into details regarding cancellations.

Provisions of the industry trade practice program were explained to the subcommittee by William F. Rodgers, M-G-M general sales manager, who resumed the stand at the opening of today's session. Rodgers' testimony had been interrupted by adjournment of the hearing last Thursday.

"Provisions of the code which we advocate bring about that which you are seeking, but without disastrous effects that would result from the bill itself," Rodgers told the subcommittee.

At request of Chairman Smith, the M-G-M executive explained new cancellation provisions and at urging of Senator White he outlined the proposed arbitration setup and how it would work.

The proposed agreement protects public groups, he declared, and arbitration provisions were incorporated voluntarily and without request from any exhibitor body.

### Helps Small Theatre

"The small theatre has decided advantages under this proposal that will give him, not all the Neely Bill provides, but a great many concessions he never before had," Rodgers stated.

"If this will give him all the Neely Bill provides, why not just pass the Neely Bill," Senator Neely interrupted.

"I didn't say 'all'," Rodgers replied.

Every effort has been made to meet the Allied States objections to various provisions, the witness explained, and while that organization is still holding out for more, other exhibitor associations have expressed approval "in principle," although, he admitted, practically all of them urge some changes. Among associations which have tentatively approved, he named M. P. T. O. A., Southern California group, Independent Theatre Owners of Metropolitan New York, Virginia Theatre Owners Association and Iowa and Nebraska groups.

All exhibitors have been given opportunity to accept the agreement and, Rodgers told the subcommittee, even those that do not accept will benefit from many of its provisions which have already been adopted by M-G-M and some other companies.

Rodgers again denied that enactment of the bill would clean up screen morals, citing the case of "Christmas Carol," produced "at considerable expense," on which M-G-M got 1,292 cancellations as compared with the usual 13 on gangster pictures.

### Sees No Moral Issue

"I simply tried to emphasize that from a moral standpoint there is no issue here and that is why I say these groups are misguided," he explained. "There is no provision in the Neely Bill that will prevent an exhibitor from passing up 'Christmas Carol,' because admittedly it is not successful from a box office standpoint."

Pictures are not sold blindly in England, he admitted, but pointed out they are block booked the same as in this country except that the English law prohibits leases until six months after a trade showing. "That may be very fine for England, but I do not think it would be very fine for exhibitors of America," he commented.

As evidence of the manner in which distributors operate, Rodgers told the subcommittee that the highest rental ever received from the Capitol, New York, was $80,000 and that "Samuelson had the same picture, while it was being played at the Capitol, for exactly $50."

# *Hollywood Preview*

## *"Streets of New York"*

*(Monogram)*

Hollywood, April 10.—Exhibitors who will play "Streets of New York" can start boasting about it now. A melodramatic story of a self-reliant boy and his friends and enemies, it is rich in human interest, combines pathos with humor and exciting action. Based on an appealing story by Robert D. Andrews, which William Nigh directed in intelligent style, the show, which William Lackey produced, stars Jackie Cooper, features Martin Spellman, George Cleveland and David Durand and presents Robert Emmett O'Connor, Dick Purcell, George Irving, Marjorie Reynolds and a gang of ragamuffins in interesting characterizations.

Cooper, a newsboy employing a lot of kids, shepherds crippled Spellman and irascible old Cleveland and is ambitious to be a lawyer. Lincoln is his ideal. Menaced by rowdy Durand, chief obstacle to the boy's hopes is his elder brother, Purcell, a racketeer. Winning the respect of Judge Irving when he appears as counsellor for his pals and enemies, Cooper struggles to make life easier for Spellman and keep Cleveland in line. Highlight of the piece is a Christmas party in Irving's home for the street boys and its action feature is the seige of murderer Purcell in Cooper's room. When the boy forces his bother's surrender, brokenhearted he peddles extras announcing Purcell's electrocution. But with Lincoln to inspire and Irving to guide him, he wipes the past from his mind and buries himself in the study of law.

A family attraction with definite appeal for adults and the young, the picture affords showmen a real exploitation opportunity.

Running time, 73 minutes. "G."* G. McC.

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**"G" denotes general classification.*

## *K. C. Area Active*

Kansas City, April 10.—At Wichita, Kan., two new theatres are being constructed, one by T. H. Slothower, and the other by Harold Gibbons. Both will seat about 700. Simon Galitzki, who operates the Coed at Topeka, Kan., has opened the Novelty there. C. C. Rhodes, Roxy, Warsaw, Mo., has opened the New Buffalo at Buffalo, Mo.

# Exchange Strikers Are Back at Work

(*Continued from page* 1)

exchange projection rooms whether such rooms are in regular use or not. A number of exchanges have closed their own projection rooms and use those at their home office buildings.

Dispute as to dating of new [illegible] tract granting 15 per cent increase and 35-hour week for the projection room operators is all that is delaying signing of agreement. Union contends pact should be dated Sept. 1, 1937, which would necessitate new negotiations next September, as agreements are for two years. Distributors claim agreement was to date pact Sept. 1, 1938, and classify wage increase for the preceding year as a bonus. Point may be settled by arbitration if no agreement can be reached soon. State mediation board is understood to regard distributors' view as the one which had been agreed upon.

### Kane Is Labor Referee

N. Y. Supreme Court Justice Ferdinand A. Pecora yesterday appointed Harry C. Kane as referee to pass on the application of the N. Y. State Labor Relations Board to punish six Long Island theatre units for contempt in allegedly failing to reinstate six members of Local 306 as operators in their theatres. The board ordered reinstatement in April, 1938.

# *Reich Papers Can't Mention U.S. Film*

(*Continued from page* 1)

that Germany forbid the importatio of American films, should Charle Chaplin go through with his plans fo making "The Dictators" for Unite Artists.

Distribution quarters here expresse little concern, because Germany is virtually a lost market. Only 32 feature were released by American companie in Germany last year, and only thre companies are still operating there limitedly.

British officials also have taken cog nizance of "The Dictators," with re ports from London that its produc tion has been frowned upon.

"Confessions of a Nazi Spy" i scheduled to open at the Strand o April 28.

# *Industry Mobilizes For N.Y. Fund Driv*

(*Continued from page* 1)

be organized. Such a committee wil meet with the general committee a a luncheon meeting on April 19 at th Hotel Astor, to initiate plans of opera tion whereby every exhibitor in thi area might be enrolled in the drive.

Attending yesterday's meeting wit Rubin were Harold Rodner, W. B. Ned Depinet, RKO; Arthur Israel Para.; Norris Wilcox, U. A.; Harr Brandt, I.T.O.A.; Ben Moss, an William Orr, M-G-M.

Arthur Israel represented Austi Keough, vice-president of Paramoun who is presently out-of-town. Wilco was substituting for Harry Buckle vice-president of United Artists, wh could not attend yesterday's meeting.

# Your Customers!

## ARE YOU GIVING THEM THE LIGHT THEY MERIT?

● You have many patrons who are loyal to your theater, who return again and again rather than go elsewhere. This steadfast patronage may be due to convenient location, to the programs you select, or even to personal friendship but, whatever the motive, these patrons deserve recognition.

ARE YOU REPAYING THIS LOYALTY WITH THE QUALITY OF PROJECTION IT MERITS?

If you are still using old style, low intensity projection, these steady customers have a right to object. And some day they will. Simplified High Intensity projection gives so much more — easier vision; more accurate color reproduction; a more satisfactory level of general illumination. Theater patrons know this, for thousands of theaters have already installed it.

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NED (DOC) RAFALSKI,
*General Manager of*
*Bland Bros. Theatres,*
*Chicago, Ill.*

*Exhibitor Finds Quick Diagnosis "Plain Miracle"*

CHICAGO—"We were playing to a good business on a Tuesday matinee in the Olympia Theatre, when for a reason we couldn't find, the sound went dead on our No. 1 machine," said Doc Rafalski, General Manager of Bland Bros. Theatres.

"We called Altec, and C. G. Bosworth promptly arrived at the theatre. He immediately discovered there was no voltage in the photo-electric cell, resulting from a broken connection in a coupling unit.

"Bosworth had the No. 1 machine functioning normally in a few minutes. It was only necessary to double up on the No. 2 machine twice from the time he got to my theatre.

"The uncanny way the Altec man instantly puts his finger on what is wrong may be the result of engineering ability, but it's just a plain miracle to me."

• • •

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# *Out Hollywood Way*

HOLLYWOOD, April 10.—STEFFI DUNA has been given the top role opposite LEO CARRILLO in RKO's "The Dove," which CLIFF REID will produce and LEW LANDERS will direct . . . MARGARET LOCKWOOD, young English actress, has been signed for the feminine lead in Paramount's "Ruler of the Seas" . . . RKO has purchased "Headline News," story by RITA WEIMAN which GEORGE HAIGHT will make . . . BETTY MORAN, cousin and adopted sister of LOIS MORAN, makes her motion picture debut in "Lawful Outlaws," Sherman-Paramount "Hopalong Cassidy" story . . . Monogram has signed JEAN PARKER to the leading role in "Her Father's Daughter," from the novel by GENE STRATTON PORTER.

✚

HENRY O'NEILL and JANE BRYAN are slated for top spots in "Hobby Family," which Warners purchased from WILLIAM BROCKWAY, M-G-M sound technician . . . JOAN FONTAINE and RUTH HUSSEY will support NORMA SHEARER, JOAN CRAWFORD, ROSALIND RUSSELL and PHYLLIS POVAH in M-G-M's "The Women." . . . SAM WOOD has returned from Denham, where he directed "Goodbye, Mr. Chips" . . . Warners' plans for "Simon Bolivar" have been tentatively set, casting ERROL FLYNN as the Latin America liberator. BETTE DAVIS may be cast opposite him . . . GEORGE "WINDY" HAYES will be Roy Rogers' comic relief in Republic's "Headin' for Texas."

✚

*Casting*—TOM KENNEDY to "Dead or Alive," Warners . . . RICHARD LANE to "It Could Happen to You," 20th Century-Fox . . . ADRIENNE AMES to "All the Tomorrows," and MILES MANDER to "Daredevils of the Red Circle," Republic . . . CHARLES COBURN to "Memory of Love," and TIM HOLT to "The Dove," RKO . . . SCOTTY BECKETT, REX DOWNING and JIMMY BUTLER, all youngsters, to "East Side, West Side," 20th Century-Fox.

---

## Studios Have 34 Pictures in Work

HOLLYWOOD, April 10.—Thirty-four pictures were before the cameras this week, as nine started and seven finished. Twenty-seven are being prepared, and 62 being edited.

Started were: "Mr. Smith Goes to Washington," Columbia; "Broadway to Wyoming" and "On Borrowed Time," M-G-M; "Heaven on a Shoestring," Paramount; "The Dove," RKO; "All the Tomorrows," Republic; "East Side, West Side," 20th Century-Fox; "Old Grad," Universal; "Lighthorse Harry," Warners.

In addition to these, shooting are: "The Power to Kill," "Good Girls Go to Paris, Too," "Arizona Cowboy," Columbia; the Jascha Heifetz vehicle, Goldwyn; "6,000 Enemies," M-G-M; "Wolf Call," Monogram; "Geronimo," "What a Life," "Million Dollar Legs," "The Cat and the Canary," Paramount; "Little Mother," "Five Came Back," "Racketeers of the Range," RKO; "Headin' for Texas," Republic; "Gone with the Wind," Selznick; "The Man in the Iron Mask," Small; "Young Mr. Lincoln," "Second Fiddle," "It Could Happen to You," 20th Century-Fox; "The Sun Never Sets," "Ex-Champ," "They Asked for It," Universal; "Battle of City Hall," "The Old Maid," "Give Me a Child," Warners.

Finished were: "Beau Geste," "Island of Lost Men," Paramount; "Stanley and Livingstone," 20th Century-Fox; "The House of Fear," Universal; "Each Dawn I Die," "Gantry the Great," "Enemy Agent," Warners.

Columbia started one short subject and finished one. M-G-M finished one. Four are being prepared and 14 are being edited.

## *Disney Suit Settled*

KANSAS CITY, April 10.—Suit of Hamilton Enterprises, Inc., and Walt Disney Productions against group of Kansas City drug, food, and printing concerns has been settled. It was based on alleged violation of copyright and trademark.

## *Game Award Allowed In Wisconsin House*

RACINE, WIS., April 10.—District Attorney R. G. Harvey, Jr., has given Warners' Venetian permission to pay a $1,500 Bank Night award won March 30, the night the theatre was raided.

Preliminary hearing of Don Nichols, manager, charged with operating a lottery, has been postponed until April 25, because of expected action by the state legislature on the Paulson bill, which would outlaw Bank Night.

## *Balsly Quits 20-Fox; Hollander Takes Post*

Lee Balsly, ad sales manager for 20th Century-Fox, has resigned. He will be succeeded by Ed Hollander, who will have full charge of the operations of the ad sales department..

Balsly will enter the theatre business with the R. R. Allison circuit at Cresson, Pa.

## *Sunday Issue Dropped*

SILER CITY, N. C., April 10.—Sunday film issue here has been dropped, T. Cecil Frazier, manager of the local theatre, withdrawing his petition to the Town Board to be allowed to show films on Sunday.

## 'Huckleberry' Does $16,500 In Pittsburgh

PITTSBURGH, April 10.—Usual Lenten lull failed to dampen "Hu[illegible]berry Finn," which took $16,500 at th Penn.

"Hound of the Baskervilles" al survived the pre-Easter slump wit $8,200 at the Alvin. The Warner' double bill of "Saint Strikes Back and "Secret Service of Air" grosse $3,500.

Estimated takings for the week ending April 6:

**"Hound of the Baskervilles" (20th-Fox)**
ALVIN—(1,900) (25c-35c-50c) 8 day Gross: $8,200. (Average, $7,000, 7 days)

**"Lost Patrol" (RKO) (reissue)**
**"Star of Midnight" (RKO) (reissue)**
FULTON—(1,700) (25c-40c) 7 days, 1 week. Gross: $4,000. (Average, $5,000)

**"Huckleberry Finn" (M-G-M)**
LOEW'S PENN—(3,600) (25c-35c-50c) days. Gross: $16,500. (Average, $15,000)

**"Cimarron" (RKO)**
**"No Man of Her Own" (Para.)**
SENATOR—(2,000) (25c-40c) 7 day Gross: $2,900. (Average, $3,800)

**"Ice Follies of 1939" (M-G-M)**
STANLEY—(3,600) (25c-40c-60c) 7 day Stage: "Major Bowes World's Fair Revue. Gross: $15,000. (Average, $17,000)

**"The Saint Strikes Back" (RKO)**
**"Secret Service of the Air" (W. B.)**
WARNER—(2,000) (25c-40c) 7 days. Gros $3,500. (Average, $4,500)

## *New Haven Is Slow; 'Fast' Draws $2,90*

NEW HAVEN, April 10.—"Fast an Loose" and "Tarnished Angel" at th College was the only bill to nos slightly above normal, with a $2,90 take. "One Third of a Nation" an "Charlie Chan in Honolulu" took $4 000 at the Paramount. The Loew Poli, with "Sergeant Madden" an "Four Girls in White" grossed $7,50

Estimated takings for the week ending April 7:

**"Fast and Loose" (M-G-M)**
**"Tarnished Angel" (RKO)**
COLLEGE—(1,499) (25c-35c) 7 day Gross: $2,900. (Average, $2,700)

**"Sergeant Madden" (M-G-M)**
**"Four Girls in White" (M-G-M)**
LOEW-POLI—(3,040) (35c-50c) 7 day Gross: $7,500. (Average, $8,000)

**"One Third of a Nation" (Para.)**
**"Charlie Chan in Honolulu" (20th-Fox)**
PARAMOUNT—(2,348) (35c-50c) 7 day Gross: $4,000. (Average, $4,000)

**"Blackwell's Island" (W. B.)**
**"Fisherman's Wharf" (RKO)**
ROGER SHERMAN—(2,200) (35c-50c) 6 days. Gross: $4,200. (Average, $4,700)

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PLUS NEW
SHOCK PROOF
DRIVE

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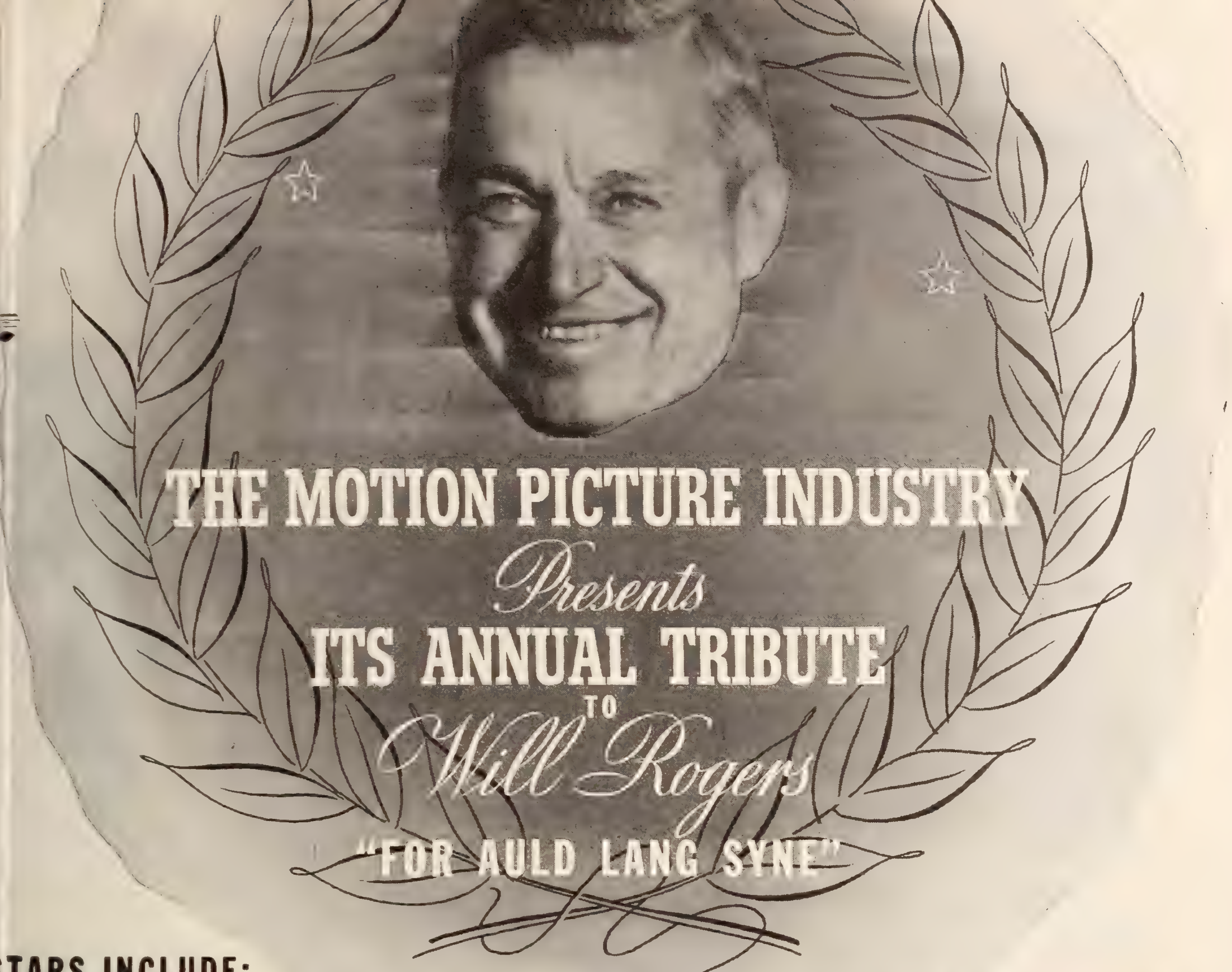

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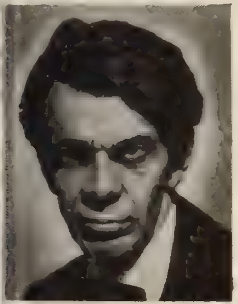

**RAYMOND MASSEY**

itar of the current Broad-
vay success, "Abe Lincoln
n Illinois." Courtesy Max
Gordon Plays and Pic-
ures Corp., who will pro-
luce the picture.

**SPENCER TRACY**

Courtesy of MGM.

**DEANNA DURBIN**

Courtesy of Universal.

**LOWELL THOMAS**

Courtesy Movietone News

**ROBERT E. SHERWOOD**

Author of "Abe Lincoln in Illinois." Courtesy of The Playwrights Co., producers of the play.

**THIS SHORT SUBJECT RUNS 10 MINUTES. SUPPLIED GRATIS TO ALL EXHIBITORS TAKING COLLECTIONS FROM THE AUDIENCE**

**Proceeds for the future support of the Will Rogers Memorial Hospital, Saranac Lake, N. Y., and for its kindred philanthropies, maintained for the needy of stage and screen. And for the aid of local institutions specializing in the care of handicapped children**

# WILL ROGERS NATIONAL THEATRE WEEK

**WEEK BEGINNING THURSDAY, APRIL 20th • MAJOR L. E. THOMPSON, Chairman**

## Order prints from the following Zone Chairmen of WILL ROGERS NATIONAL THEATRE WEEK . . . or from any branch manager or film salesman:

| | Zone Chairman and Company |
|---|---|
| | Philip Fox, Columbia |
| A | John Ezell, Universal |
| | Morris Wolf, Metro |
| | Sydney Samson, 20th Century-Fox |
| TTE | Robert J. Ingram, Columbia |
| O | Jack Osserman, RKO |
| NATI | Edwin Booth, Metro |
| ND | Frank D. Drew, Metro |
| | Doak Roberts, Warner Bros. |

| District | Zone Chairman and Company |
|---|---|
| DES MOINES | R. M. Copeland, Paramount |
| DETROIT | Frank Downey, Metro |
| INDIANAPOLIS | George T. Landis, 20th Century-Fox |
| KANSAS CITY | William Warner, Warner Bros. |
| LOS ANGELES | Clayton T. Lynch, Metro |
| MEMPHIS | James Rogers, Columbia |
| MILWAUKEE | Arthur N. Schmitz, RKO |
| MINNEAPOLIS | Harold Johnson, Universal |
| NEW HAVEN | Lou Wechsler, United Artists |
| NEW ORLEANS | E. B. Price, Paramount |

| District | Zone Chairman and Company |
|---|---|
| OKLAHOMA CITY | Ralph B. Williams, RKO |
| OMAHA | Al Mendenhall, Paramount |
| PHILADELPHIA | F. L. McNamee, RKO |
| PITTSBURGH | Harry Seed, Warner Bros. |
| PORTLAND | Louis Amacher, Metro |
| ST. LOUIS | John E. Garrison, Universal |
| SALT LAKE CITY | Charles Walker, 20th Century-Fox |
| SAN FRANCISCO | Dennis J. McNerney, United Artists |
| SEATTLE | Lawrence J. McGinley, Universal |
| SIOUX FALLS | Sherman Fitch, RKO |

# ▸ Radio Personals ◂

TERRY CLYNE of the New York office of Free & Peters in Cincinnati on station business . . . Bobby Parks has signed with Rockwell-O'Keefe . . . Maxine Gray returns to her original place with Hal Kemp's band today, while Judy Starr returns to Hollywood the same time . . . Skinnay Ennis' band has been signed to do two picture scores for Victor Recording, through Len Joy . . . Mike Riley's orchestra booked for a week at Loew's State opening April 27. . . . Hal Halpern has resigned from Earle Ferris' Feature Service . . . Fred Weber, Mutual general manager, to Washington yesterday . . . Cy Baker has joined Jimmy Dorsey's orchestra as trumpet player.

## *AFRA Opens Talks With Crosley Corp.*

Cincinnati, April 10.—American Federation of Radio Actors have opened negotiations with the Crosley Corp. for a contract covering wages and working conditions.

The negotiations are being carried on by Emily Holt, president of A.F.R.A. and James D. Shouse, vice-president in charge of broadcasting for the Crosley interests. Lou Levy, executive secretary of the Cincinnati A.F.R.A. chapter, denies rumors here of a threatened strike. Negotiations with other local stations will be opened soon.

## *Westinghouse Plans World's Fair Series*

Westinghouse Electric and Manufacturing Co. will sponsor a radio series from the World's Fair grounds for the duration of the Fair, with Ray Perkins conducting interviews with visitors to the Westinghouse exhibit. The program starts May 7 and will be broadcast Sunday from 5:45 to 6 P. M. over the NBC Blue.

Seventy-three stations have been lined up for the show. Fuller & Smith & Ross placed the contract.

## *Reelect Crosley Board*

Cincinnati, April 10.—Powell Crosley, Jr., Lewis M. Crosley, Charles Sawyer, Powell Crosley, III, James Heekin, R. E. Fields and J. A. Barnard have been reelected to the board of directors of the manufacturing division of the Crosley Corp., operators of WLW and WSAL. The directors will meet later to elect officers.

## *New Pact for Taylor*

Hollywood, April 10.—Robert Taylor has signed a new long term contract with M-G-M.

## *Twin City Refugee Fund Totals $25,020*

**Minneapolis, April 10.—A total of $25,020 was raised by the Variety Club of the Twin Cities for relief of European refugees, W. A. Steffes disclosed.**

## *Charles Skouras Welcomed Home*

**Hollywood, April 10.—Los Angeles film row will give a "welcome home" dinner to Charles Skouras, Fox West Coast head, at Elks Temple tomorrow.**

**Skouras returned recently from an extended trip to Europe with his wife and daughter, Marjorie. This was his first visit to Greece since arriving in America 30 years ago.**

## 'Bell' and 'Castles' Big Despite Weather

Inclement weather failed as a box-office deterrent with Easter crowds thronging the lobbies and waiting patiently in long queues outside. Police detachments were in evidence outside most Broadway houses to keep the lines from interfering with pedestrian traffic. Most legitimate stage houses added matinees yesterday, with excellent business reported. "The Castles" grossed $65,000 at the Radio City Music Hall for the first four days of this week. That's plenty big.

"Midnight" is expected to gross $57,000 in its first week at the Paramount which ends tonight. At the Globe, "Prison Without Bars" has grossed an estimated $7,200 since its opening Saturday night, a near record for the house. "Dodge City" seems headed for a record gross at the Strand with an estimated $35,000 for the first four days. "The Story of Alexander Graham Bell" will be held for three weeks at the Roxy, with a fourth possible. First 10 days of the engagement played to 162,231 persons. "The Flying Irishman" starts at the Rialto tomorrow.

## *Mayer Buys Rights On 'Divorce' Show*

Frederick Mayer, New York free lance radio producer, has purchased radio rights for eastern and mid-western states for the west coast series, "I Want a Divorce," from Emil Brisbacher & Staff radio agency, which created the program. At present the program is being broadcast from Hollywood over the western stations of the CBS network.

Mayer will attempt to sell the program coast-to-coast on a cooperative basis. Mayer formed the original Coffee Club broadcasts on a cooperative basis, followed with the Brewers radio show which he sold cooperatively over CBS in a program featuring Henny Youngman, Connie Boswell and Richard Himber's orchestra.

## *WNEW Will Air Jersey Ball Games*

WNEW was signed yesterday by the General Mills Company to broadcast the baseball games of Jersey City and Newark, ball clubs of the International League. Earl Harper will be the announcer. WHN broadcast the Jersey City games last year. The Loew station went big-time this year, tying-in on the Giants, Yanks and Dodgers (Brooklyn) games with WABC and WOR.

## National Theatres Campaign Started

National Theatres' Spyros Skouras Showmanship Campaign started Saturday for 13 weeks, with Arch Bowles, northern California division manager, as field marshal. A total of 165 prizes aggregating $25,000 will be awarded to district and house managers, as well as accounting and maintenance departments in the field and bookers. This is the first time the president of the circuit has permitted his name to be used in connection with a campaign.

An elaborate plan has been worked out by a committee headed by J. J. Sullivan, Fox West Coast film buyer, and including W. T. Powers, Ed Zabel, Sumner Gambee and Harry C. Cox. This committee, in New York, will be the final judges. Bowles will devote all his time to the campaign, and has set up headquarters in Los Angeles. Charles Skouras, Fox West Coast head, will supervise Bowles' San Francisco territory for the campaign's duration. Bowles has completed a series of divisional meetings with Andy Krappman and Zabel, and will make another tour in about three weeks.

Patriotic exploitation is part of the campaign, with theatres including Americanism themes in copy, decorations, lobby displays, etc.

The total of the awards is $10,000 more than in the last campaign. Theatres are divided into classes, with individual prizes ranging from $1,000 to $50. The six divisional publications have been suspended for the period, and Bowles will publish a campaign paper at Los Angeles.

Film buyers at the home office have been named sponsors of their divisions. Sullivan handles southern California; Zabel, northern California; Milton Hossfeld, Midwest; Irving Barry, northwest; Aubrey Schenck, Wisconsin, and George Balsdon, Intermountain.

## *Seek KROW Transfer*

San Francisco, April 10.—Educational Broadcasting Corp., operator of KROW, independent station, has applied to the F. C. C. for permission to transfer control to Philip Lasky and W. I. Dumm, owner-operators of KSFO, CBS outlet; Fred J. Hart, former president of the Honolulu Broadcasting Corp. and Wallace F. Elliott.

## *Milwaukee Reopening*

Milwaukee, April 10.—The Alhambra, downtown house long dark, reopened here April 8 with "When Germany Fell," advertised as the film's first U. S. showing. Admission prices are 25 and 35 cents and the house is operated by the Avenue Amusement Corp. with A. J. Cooper as manager.

## *Extend Booking Plan*

Cleveland, April 10.—Milton A. Mooney, head of Cooperative Theatres of Ohio, now buying and booking for theatres in northern Ohio, plans an office in Cincinnati to serve exhibitors of southern Ohio. Harry Bugie, former Warner salesman, will have charge of the Cincinnati office.

## *RKO to Have Fair Aid for Exhibitors*

**RKO will maintain special quarters in the home office building for the convenience of exhibitors visiting New York this summer for the World's Fair. Information facilities on both the city and the Fair will be in char[illegible] of H. M. Richey, RKO di[illegible]tor of exhibitor relations.**

**Ned E. Depinet, RKO distributor head, is sending invitations to approximately 10,000 exhibitors to avail themselves of the facilities.**

## *New York Post Has Program Over WO*

New York *Post* has again start promoting its features via radio ov WOR. Program is to be heard Sundays, and is a musical, transcrib show.

Renewed over WOR is the Stu baker Champions show, throu Roche, Williams & Cunningham, a Olson Rug Co's Transradio ne broadcasts, with Joe Bier, throu Presba, Fellers & Presba.

## *4 Chan Pictures Title*

Titles of the four Charlie Chan p tures for the season have been fix by 20th Century-Fox. They a "Charlie Chan at Treasure Islan "Charlie Chan in the City of Da ness," "Charlie Chan on the Twe tieth Century Express," and "Char Chan at the Mardi Gras." Sidn Toler will play the title role.

## *Lighted Clocks Urged*

Milwaukee, April 10.—Acting up the recommendation of the special ci zens' committee on moving pictur the judiciary committee of the co mon council has recommended passa of the Kalupa ordinance, which p vides for an illuminated clock in auditorium of each theatre in the ci

## *To Start Bank Night*

Mansfield, O., April 10.—W ners' Madison, which recently w to a double feature policy, will cond weekly Bank Night beginning Ap 15, according to Gratton Johnst manager. The Ohio here has retur to single bills.

## *Form Audio-Video Fir*

Albany, April 10.—Radio-Aud Video Corp. has been licensed to c duct radio and television business, w 200 shares of stock. Directors Edward F. Roehm, William B. We berger and Edward J. Welch, N York.

## *McGuire to 20th-Fox*

Hollywood, April 10.—Willi Anthony McGuire, formerly w M-G-M, has been signed as asso ate producer and writer by Dar Zanuck for 20th Century-Fox.

## *Heifetz Film Titled*

Hollywood, April 10. — Sam Goldwyn today titled Jascha Heifet picture now shooting as "Mu School" and set Andrea Leeds the feminine role.

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First in
Film and
Radio News
Brief,
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45. NO. 70 NEW YORK, WEDNESDAY, APRIL 12, 1939 TEN CENTS

# A. Officers Called in L.A. Racket Probe

### ocal 37 Appeals for Federal Inquiry

Hollywood, April 11.—Los Angeles unty Grand Jury today subpoenaed ernational officers of the I. A. T. E., members of Studio Technicians' cal 37, and others to appear before for questionining regarding "labor keteering." Witnesses were ored to appear April 18 for questionwith reference to two per cent assments levied during the 43 weeks t autonomy of the four studio locals s suspended.

Local 37 officials announced that y understood Attorney General ank Murphy, to whom they apaled for a Federal probe of labor keteering, would make a public tement in Washington Thursday garding the matter.

Summoned to appear here before grand jury are John Gatelee, ank Stickling and Harold V. nith, I. A. representatives, Ed Heim d Guy Cooper, deposed Local 37 officers, and Opal Gile, I. A. office itchboard operator. Four other ɔpoenas were issued but had not en served at the close of the day.

## uffalo Theatres to Meet on Clearance

Independent exhibitors in Buffalo ll meet tomorrow to consider a prosed revision of clearance there. The st draft of the plan was submitted a New York Allied meeting in ıffalo on Monday. Tomorrow's conrence is sponsored by the organizaon. Al Francis, regional vice-presint, will preside.

The independents are working on a an which would permit films to clear possibly 60 days to the last runs, stead of in three and a half months at present. The independents also vor eliminating or limiting mover runs, which contribute to the exnded clearance. Relief is sought for ighborhoods charging 15 and 20 nts.

It is expected that a series of conrences will be necessary to iron out e problem, and it is planned to hold eetings with Vincent McFaul, Buflo head of Shea theatres, which conol the first runs. The proposed greement will be submitted to the stributors for approval.

Clearance will be a topic also at ı Allied meeting in Rochester toorrow to which all independent exbitors have been invited.

## *Republic's 'Conquest' At Capitol, April 27*

**No more than three or four "outside" films have been booked into the Loew's Capitol, on Broadway, in the past two years, so that Republic's "Man of Conquest," can claim special distinction in being selected to premiere at this M-G-M flagship beginning April 27.**

**The picture had its world premiere at the Majestic (Hoblizelle-O'Donnell), Houston, where it is now in its second week.**

## See Reenactment of Old Amusement Tax For Pennsylvania

Harrisburg, Pa., April 11.—Republican administration leaders in the Pennsylvania legislature are reported today to have practically agreed on the need of reenacting in the present session the amusement tax of several years ago. It imposed an extra one-cent tax on each 25 cents of the cost of a theatre ticket or fraction thereof.

Several bills to that effect are now in the hands of the Ways and Means Committee of the lower house, where they were being held pending determination of whether the revenue would be needed. Leaders now say it appears essential to pass such a measure.

Senator Roberts has offered a resolution in the upper house informing Governor James that there is sentiment in the legislature for an amusement tax. The resolution favors a "reasonable" tax for weekdays and a 25 per cent tax on gross receipts of Sunday amusements.

# COMMITTEE MAY KILL NEELY BILL

## Republic Opening Eastern Meeting In New York Today

Republic starts its eastern regional sales meeting today at the Park Central, with approximately 50 in attendance. The meeting will last two days.

J. R. Grainger

Walter W. Vincent of the Wilmer & Vincent circuit will address the delegates on "An Exhibitor's Viewpoint of Republic," and other guest speakers are scheduled. Harry LaVine and Jack Bellman, central and eastern district sales heads, respectively, will preside at the sessions, which will be attended by delegates from eight cities as well as Canada.

Full information will be given on the company's program of 26 features, 24 westerns and four serials. The convention program is similar to that at the southern sales meeting in Houston last week, with major speakers including H. J. Yates, president Consolidated Film Industries; M. J. Siegel, president, Republic Productions, who will outline production plans; William Saal, special representative, who will speak on the new

(*Continued on page* 3)

## *Spring Thaw Lets Out Word of Alaska Anti-Ascap Legislation*

**An anti-Ascap bill was enacted by Alaska during February, according to word just received in New York following the spring thaw in the northwest. Ascap has—or had—one paying radio customer in the territory, according to Schwartz & Frohlich, Ascap counsel.**

**Six anti-Ascap bills "died" during the past few weeks as the North Carolina, Georgia, Alabama, Arkansas, Missouri and Oregon legislatures adjourned without taking action on the measures which had been introduced during the 1938-'39 sessions. A tax bill aimed at Ascap in Mississippi died when the legislature adjourned there recently.**

**A new bill against the society was introduced in the Vermont legislature recently and was referred to the Judiciary Committee.**

### *Schaefer Continues His Attack; Smith Asks Hearings' End*

Washington, April 11.—Probability that the Neely Bill will not reach the Senate for action this session was seen today as distributors continued their attack on the block booking measure.

Urging that the hearings be concluded as soon as possible, Senator Ellison D. Smith, chairman of the Senate Interstate Commerce subcommittee in charge of the measure, commented, "I have been greatly enlightened as to the motion picture industry and its methods of production and distribution," adding that if the bill reaches the floor he will seek to "enlighten" members who have not attended the hearings and "I hope the Senate will have as open a mind as some of us have had."

The committee chairman has consistently adhered to the belief that the film industry operations are based on the profit motive and has been skeptical of claims that the bill would improve the quality of films. Senator White, who voted against the bill last year, has announced his only interest in it was from a moral standpoint and has asked to be shown that the measure would operate from that angle. Senator Barkley is expected to go along with the other two, leaving only Senator Neely in favor of the

(*Continued on page* 3)

## May Have Draft of Union Pact Today

Representatives of distributors, metropolitan circuits and Local 306 may complete a written draft of the new union agreement today or tomorrow, embodying the new concessions for projection room operators. Mediation of the dispute as to the effective date of the new agreement will be begun immediately thereafter.

Union contends effective date of two-year pact should be Sept. 1, 1937, and companies contend it should be dated one year later. Only difference involved is whether new negotiations will have to be held next September or a year from then. Discussions of a merger of Empire State union with Local 306 are not expected to be taken up until the new agreement has been signed.

# ◂ Purely Personal ▸

ARTHUR WILLI, chief casting director of RKO, left New York yesterday for Columbus, to audition candidates in the new **Jesse L. Lasky** "Gateway to Hollywood" talent quest. **Herbert Rawlinson**, eastern talent representative, accompanied him. They will go later to Atlanta, Washington and Rochester.

•

E. A. **Helouis**, office manager at Columbia's New York exchange, will return to his desk Monday after a two-week illness. **Frances Goldberg**, secretary to **Helouis**, is out with a sore throat.

•

W. **Ray Johnston**, president of Monogram, is en route from the coast, stopping off at exchanges. He will return to the coast after the company convention in Chicago May 4-6.

•

**Paul Benjamin** of National Screen Service, is expected back at his office the end of this week after being confined to his home with a leg ailment.

•

T. R. **Williams**, treasurer of Educational-Grand National, returned yesterday from the coast, where he spent more than four months.

•

**Howard Dietz**, M-G-M advertising and publicity director, is due from a Bermuda vacation by the end of the week.

•

**Frank C. Gilbert**, Altec chief engineer, has left New York by automobile for the coast, where he will attend the S. M. P. E. convention.

•

**Noah Schecter**, Cincinnati exhibitor, has returned from a winter stay in Florida.

•

**Norman Elson**, district manager for Brandt Theatres, is home ill with the grippe.

•

N. L. **Nathanson** left New York for Toronto last night.

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AMERICAN
to
LOS ANGELES
Overnight

★ Go the smooth, nature-favored Southern All-Year Route of the Flagship skysleepers! No change of planes. Complimentary meals. Leave at 5:10 p.m. or 10:45 p.m. Phone your travel agent or VAnderbilt 3-2580. Ticket offices 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th Street.

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# New York Preview

## "Man of Conquest"

*(Republic)*

Properly exploited, the box office will eat up this biography of Sam Houston, one of America's great men of the 19th century. The picture has gusto. It is alive with action and romance and well-timed, although some might like to have it move at a swifter pace. But the pioneers who braved the Santa Anna raids in the '40's didn't move as fast as some might wish to have had them. In those days it took a rider three days to travel from the Brazos to the Alamo.

Richard Dix, as Houston, is realistic. He gives you a character of a man such as he hasn't done since he gave to the screen the famous Yancey Cravat of "Cimarron."

Perhaps the makers of this picture can depend on "tongue talk" (to use the language of the film) to make the box offices whirl. If the merits of this show are to be properly told, it will be told in big, bold faced letters in media which leave a permanent impression. When that is done, the showmen of the country being enthused will let town and country know what a great piece of entertainment is coming their way.

This picture is a true adventure tale, without a swashbuckling aroma. It is realistic—a patriotic portrait in celluloid which moves across the screen with dignity and ease.

You see the destruction of the Alamo and hear the cry "Remember the Alamo," taken from the Mexicans and whipped around into a terrible retaliatory war whoop by the Americans.

Sam Houston rises from a mere buckskin clad backwoodsman to the Governorship of Tennessee with the help of Andrew Jackson. He resigns when embittered by domestic troubles and his young wife leaves him. Houston returns to his boyhood friends, the Cherokees, and soon he is in Texas and in love again with a second woman. He conquers Texas and the Mexicans, marries the girl and brings Texas into the Union.

Wells Root, E. E. Paramore and Jan Fortune authored the screenplay from an original by Harold Shumate and Wells Root. They have created a stirring saga of the southwest.

When the battle lines are drawn on the plains of Texas you have a realistic bit of warfare.

Edward Ellis' portrayal of Andrew Jackson is among the picture's most effective items. Gail Patrick's performance as Margaret Lea is vibrant and George Hayes, as Upchurch, Ralph Morgan as Stephen Austin and Victor Jory as Travis, as well as Robert Armstrong as Jim Bowie, walk out of a seemingly unaltered and stirring past.

Sol Siegel produced this worthy picture and George Nicholls, Jr., directed it with skill and understanding.

Running time, 98 minutes. "G."*

---

**"G" denotes general classification.*

## Club Inducts Governor

**Columbus**, April 11.—Among those attending the induction of Gov. John W. Bricker of Ohio, as an associate member of the local Variety Club, were ex-Governor White of Ohio, Myron B. Gessaman, Mayor of Columbus; John H. Harris, national chief barker, Pittsburgh; James Baimer, Pittsburgh; Nat Wolf, chief barker, and M. R. Clark, Cleveland.

## Appeal 'Ecstasy' Ban

**Albany**, April 11.—A Board of Regents subcommitee including Gordon Knox Bell, George J. Ryan and Susan Brandeis is expected shortly to review the revised version of "Ecstasy" on appeal. The original version was banned in 1937 and Irwin Esmond, state censor, has banned the revision. Eureka Productions has appealed the ban.

# The Newsreel Parade

*Crisis in Europe and Easter Sunday celebrations are chief features of the new issues of the newsreels, contents of which follow:*

MOVIETONE NEWS, No. 61 — War in Spain ends. French Ambassador to Spain inducted. French trade treaty signed. Mussolini conquers Albania. Easter celebrations. Danish royalty visits America. Ford opens exhibit at New York fair. Army Day parade. Marion Anderson sings in Washington. Sea disaster. Lew Lehr.

NEWS OF THE DAY, No. 259—Crisis in Europe. Berries in season. Rocks wreck freighter. Prince and Princess of Denmark on good will tour. Seamen battle rough water. Football training.

PARAMOUNT NEWS, No. 72 — Easter observed throughout country. British freighter sinks. Henry Ford at New York fair. Danish royalty arrives in California. Refugees in England. "Upside down" girl wins health honor. Italy takes Albania. Celebrate anniversary of Fascism in Italy. Senator Johnson speaks. Negro contralto sings at Lincoln Memorial.

RKO PATHE NEWS, No. 76—European war situation. Ford building at New York fair is dedicated. League battles depression. Prince and princess of Denmark greeted at coast.

UNIVERSAL NEWSREEL, No. 761—Easter rites. Albania captured. Army Day parades in New York and Washington. Reservists sworn in. Danish royalty tours country. Henry Ford at New York fair. Snow avalanche. British freighter wrecked. "Upside down" girl grows up. Rodeo.

## KRS Report Hits Quota Provision

**London**, April 11.—Kinematograp Renters' Society, English distribu tor organization, in its 1938 repo criticises the new quota provisions the Films Act, describing them showing "little originality or darir in encouraging the establishment British production industry."

The report forecasts the estal lishment of a production industry he by American interests unless t British producers make characteristi ally British films, ensuring profits the home market. It is contended th greater originality in film themes needed, instead of imitation. High quotas are no solution, the report d clares.

Exhibitors are censured for the recent campaign on the grading films, the report suggesting major ci cuits are the only beneficiaries of su a plan. It pleads for a united indu try viewpoint and impeaches exhib tors responsible for divided opinion.

## Goldwyn Files New Suit in Wilmingto

Max D. Steuer, attorney for Samu Goldwyn, issued a statement yesterd setting forth Goldwyn's opposition United Artists' inclusion of the pro uct of certain producers and also e pressing opposition to the compan sales policy. The statement was ma following the filing of a new suit the U. S. District Court of Wilmin ton, Del., yesterday. The complaint the same as that recently withdrav in the N. Y. Federal Court.

Steuer stressed the fact that Gol wyn was not seeking to enforce a claim against U.A. but was suing f a declaratory judgment defining h rights under the distribution contra He pointed out that a quicker tri could be obtained in Wilmingt William S. Potter, of Ward & Gra filed the complaint on behalf Goldwyn.

## M-G-M Signs Astaire

**Hollywood**, April 11.—Fred Astai has signed an M-G-M contract a will appear oposite Eleanor Powell "Broadway Melody of 1940."

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

MARTIN QUIGLEY, Editor-in-Chief a Publisher; SAM SHAIN, Editor; JAM A. CRON, Advertising Manager.

Published daily except Saturday, Sund and holidays by Quigley Publishing Co pany, Inc., Martin Quigley, preside Colvin Brown, vice-president and treasur

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# eely Bill May Never Reach Senate Floor

(Continued from page 1)

with Senator Tobey of New pshire, who has attended no hear- s, doubtful.

ontinuing his attack on the bill, orge J. Schaefer, RKO head, to- took up and answered independ- exhibitor charges made earlier in hearings.

s to Nathan Yamins' testimony t he bought the entire output of eral companies, Schaefer pointed he had a monopoly for years and only now facing a threat of com- ition through erection of a new l River theatre which he tried un- cessfully to block.

s former head of United Artists, aefer pointed out, he was in a po- on to answer authoritatively mins' contention that that company not sell in block. It has always ked in blocks, he declared, and "it uld be more difficult for United ists to sell under the Neely Bill n any other company."

Snow White," he asserted, was alone but, he said in answer to ator Neely's assertion that ex- itors had written him they could the picture only with a block, re were cases where a theatre nted "Snow White" only, while npetitors offered to take blocks and d business dictated that the latter r be accepted.

amins said also there are well r 100 producers who would turn pictures under the Neely Bill, witness continued, but in fact se producers are on the payrolls major companies at salaries which causing concern. Senator Neely rjected to say that one film man eived more than all 96 members the Senate, and Senator Smith nmented "I'm going to join them."

### Tables Submitted

n answer to a desire repeatedly ressed by Senators Smith and ite for figures showing whether ibitors are forced to take all pic- es, C. C. Pettijohn submitted tables wing contracts on all pictures pro- ed by a half-dozen companies for 1937-38 season.

hese tables showed that 20th Cen- -Fox contracts ranged from 12,- on "In Old Chicago" to 3,581 for nner at the Ritz"; Paramount had 00 contracts on "Wells Fargo" and 7 on "Love on Toast"; RKO re- ted 9,567 contracts on "Stage or" and 845 on "The Rat"; Uni- sal sold "Three Smart Girls" to 73, but only 5,455 on "The aser"; and Columbia sales ranged n 10,298 on "Theodora Goes d" to 2,006 on "Beloved Vaga- d."

enneth Thompson, executive sec- ary of the Screen Actors Guild, the subcommittee, as Robert ntgomery had earlier, that the ld's directors believe that the bill ld act to reduce employment of ors by curtailment of production forced theatre closings. He nted out that the measure pro- ed no substitute for the industry's present method of wholesaling film and said that if a better method were found the industry would not have to be forced by legislation to adopt it. He characterized the proposed substitute for blind selling—the synopsis requirement—as unworkable.

Ralph Block, representing the Screen Writers Guild, said the Neely Bill would demoralize production and "place insurmountable obstacles" in the way of screen writers. He said it would be "impossible" for writers to comply with the synopsis requirements.

Mrs. Frances Flagg of Newtonville, Mass., told the subcommittee the Neely Bill threatens to block progress, adding that a number of national organizations of which she is a member have never given any thought to the block booking question.

## Rodgers Sure Most Units Back Program

**William F. Rodgers, M-G-M general sales manager, reiterates his belief that if the independent exhibitors were polled on their attitude to the proposed trade practice code, a majority would be found in its favor. Rodgers returned yesterday from Washington where he spoke at the Neely bill hearing.**

**W. F. Crockett, president, M.P.T.O. of Virginia, an unaffiliated group, expressed his approval personally to Rodgers in Washington.**

## Majors Are Sued by Cleveland Exhibitor

Cleveland, April 11.—East Shore Theatre Co., operating the LaSalle here, today sought an injunction in Common Pleas Court against 20th Century-Fox, M-G-M, Paramount, Universal and United Artists to stop film service to the New Shore, operated by the Shore Theatre Corp.

The action charges contract violation, East Shore claiming contractual protection over all opposition except the Commodore, where the product is split. Hearing has been set by Common Pleas Judge Lee Skeel for April 18.

## Crews Operator Bill Put Over to April 19

Albany, April 11.—Assembly today laid over until April 19 the Crews bill requiring licensed projectionists in New York City. Assemblyman Crews is studying the bill for the purpose of eliminating objections of educators and amateurs.

Senator Joseph D. Nunan introduced a bill to permit the New York City Council to place a five per cent tax on World Fair admissions. The Butler bill dealing with admission of children to theatres was recommitted in the Senate, thus effectively killing the bill for this session.

## Flu Hits Mexico Houses

Mexico City, April 11.—Flu, the worst here since the Spanish epidemic of 1918, has hit exhibitors hard. It has reduced business for some theatres as much as 30 per cent.

## Film Organization Formed in Mexico

Mexico City, April 11.—Organization of a national chamber for Mexican film producers, distributors and exhibitors, for the purpose of protecting their interests and generally improving conditions in the industry, has been completed here by a group of members of the national exhibitors' union, headed by Francisco Somohano.

Manuel Rivera, prominent producer, is president. Other officers include Juan Pezet, Francisco Somohano, Manuel Fernandez and Emilio Azcarraga.

## Equity Sunday Show Referendum Delayed

Actors' Equity council voted yesterday to retain its original stand on the proposed Sunday shows referendum and refused to send out the ballots until the League of N. Y. Theatres obtains an agreement from all craft unions that they will waive extra pay for Sunday work. The league is meeting with the unions in in effort to obtain such consent, but suggested that the referendum be sent out immediately.

Ballots for the annual elections will be mailed April 20 and deadline for independent nominations has been set for Saturday. Equity donated $500 to the Federation of Arts Unions to aid the latter in its fight against the Burns bill, which proposes to abolish the WPA Arts Project.

## Republic Opens Its N. Y. Meeting Today

(Continued from page 1)

program; James R. Grainger, president, Republic Pictures, whose address will be on "Selling the Program," and Al Adams, advertising and publicity chief.

Talks on "What Republic Means to Me" will be made by six franchise holders, including Herman Gluckman, New York; Herman Rifkin, Boston; Nat Lefton, Cleveland; Sam Flax, Washington; J. Alexander, Pittsburgh, and Paul Nathanson and A. W. Perry of Toronto, respectively Canadian franchise holder and general manager.

The meeting will close with an open forum presided over by Yates. Thursday night there will be a beefsteak dinner at the New York Athletic Club.

## W. B. Ad Sales Week Sets Company Record

Warners report an all-time high in sales of advertising accessories during the Warner ad sales week from April 2 to April 8. Sales for the week were reported as 35 per cent over the figure for the 1938 ad sales week, the previous high in company history.

All of the company's 39 branch offices in the United States and Canada were over quota, with 15 exchanges doubling the quota and two tripling the figure. A new record is claimed to have been set when 750,000 heralds for "Dodge City" were sold, the highest one-week total on a single film in the history of the company.

# Bondy Signs Final Order On RKO Plan

## Denies Cassell Plea on Atlas Underwriting

Final order confirming the plan of reorganization of RKO, and approving the officers and board of directors of the company, was signed yesterday by Federal Judge William Bondy. The order submitted by Atlas Corp., proponent of the plan, was selected for signature by Judge Bondy, who rejected a provision put forward by H. Cassell & Co. which would have required the Atlas Corp. to present an underwriting agreement within 30 days.

Furthermore, Judge Bondy overruled objections of John S. Stover, attorney for Ernest W. Stirn, which had been based on charges that Atlas was interested in Paramount Pictures, Inc., a competitor.

The order stated that the court was satisfied both with the legality of the plan and the "identity, qualifications and affiliations" of directors, and in confirming the plan, reserved jurisdiction over the assets of the company and all persons and firms interested, one way or another, in the assets and confirmation of the plan. The order directs taxes to be paid in full and the assumption by the new company of all obligations of the old.

A meeting scheduled for today has been adjourned to May 16 at 5 o'clock, and will be held open for any matters that may arise.

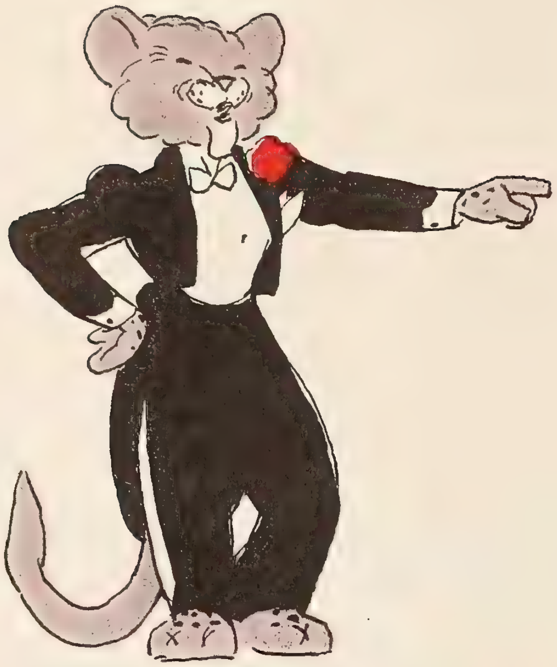
## Lab Union Will Vote On De Luxe Contract

Proposed contract with De Luxe Laboratories will be submitted for approval to a membership meeting of M. P. Laboratory Technicians' Union, Local 702 Friday evening. Negotiations have been carried on for the past few months and the committee will submit its report to the members. Conferences will be resumed with Consolidated Film Industries after settlement with De Luxe.

## Pa. Senate Refuses To Confirm Censor

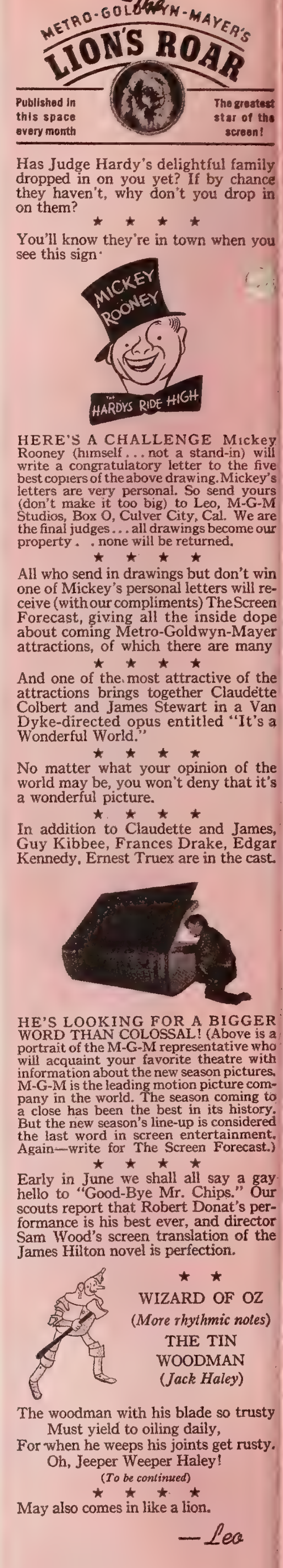
**Harrisburg, Pa., April 11.—Pennsylvania Senate last night refused to confirm the appointment of Mrs. Edna R. Carroll as a member of the state censor board. The refusal was said to have been on political grounds.**

**Governor James is expected to name Mrs. Carroll ad interim at the close of the legislative session, permitting her to serve until the close of the next session. Failure to approve leaves the state without a censor board, since the three Democratic members had been forced to resign. Subordinate employes are carrying on the censor work.**



# "EVERY MONTH I CHAT WITH ALL YOUR CUSTOMERS!"

Here's the next issue of M-G-M's popular LION'S ROAR column. It is typical of the breezy message which appears in a special preferred position monthly in leading national magazines. The informal copy, different from any other film advertising, has won it a huge following throughout America.



MICKEY ROONEY
THE HARDYS RIDE HIGH

METRO-GOLDWYN-MAYER'S *The* LION'S ROAR

Published in this space every month

The greatest star of the screen!

Has Judge Hardy's delightful family dropped in on you yet? If by chance they haven't, why don't you drop in on them?

★ ★ ★ ★

You'll know they're in town when you see this sign·

HERE'S A CHALLENGE Mickey Rooney (himself . . . not a stand-in) will write a congratulatory letter to the five best copiers of the above drawing. Mickey's letters are very personal. So send yours (don't make it too big) to Leo, M-G-M Studios, Box O, Culver City, Cal. We are the final judges . . . all drawings become our property . . none will be returned.

★ ★ ★ ★

All who send in drawings but don't win one of Mickey's personal letters will receive (with our compliments) The Screen Forecast, giving all the inside dope about coming Metro-Goldwyn-Mayer attractions, of which there are many

★ ★ ★ ★

And one of the most attractive of the attractions brings together Claudette Colbert and James Stewart in a Van Dyke-directed opus entitled "It's a Wonderful World."

★ ★ ★ ★

No matter what your opinion of the world may be, you won't deny that it's a wonderful picture.

★ ★ ★ ★

In addition to Claudette and James, Guy Kibbee, Frances Drake, Edgar Kennedy, Ernest Truex are in the cast.

HE'S LOOKING FOR A BIGGER WORD THAN COLOSSAL! (Above is a portrait of the M-G-M representative who will acquaint your favorite theatre with information about the new season pictures. M-G-M is the leading motion picture company in the world. The season coming to a close has been the best in its history. But the new season's line-up is considered the last word in screen entertainment. Again—write for The Screen Forecast.)

★ ★ ★ ★

Early in June we shall all say a gay hello to "Good-Bye Mr. Chips." Our scouts report that Robert Donat's performance is his best ever, and director Sam Wood's screen translation of the James Hilton novel is perfection.

★ ★

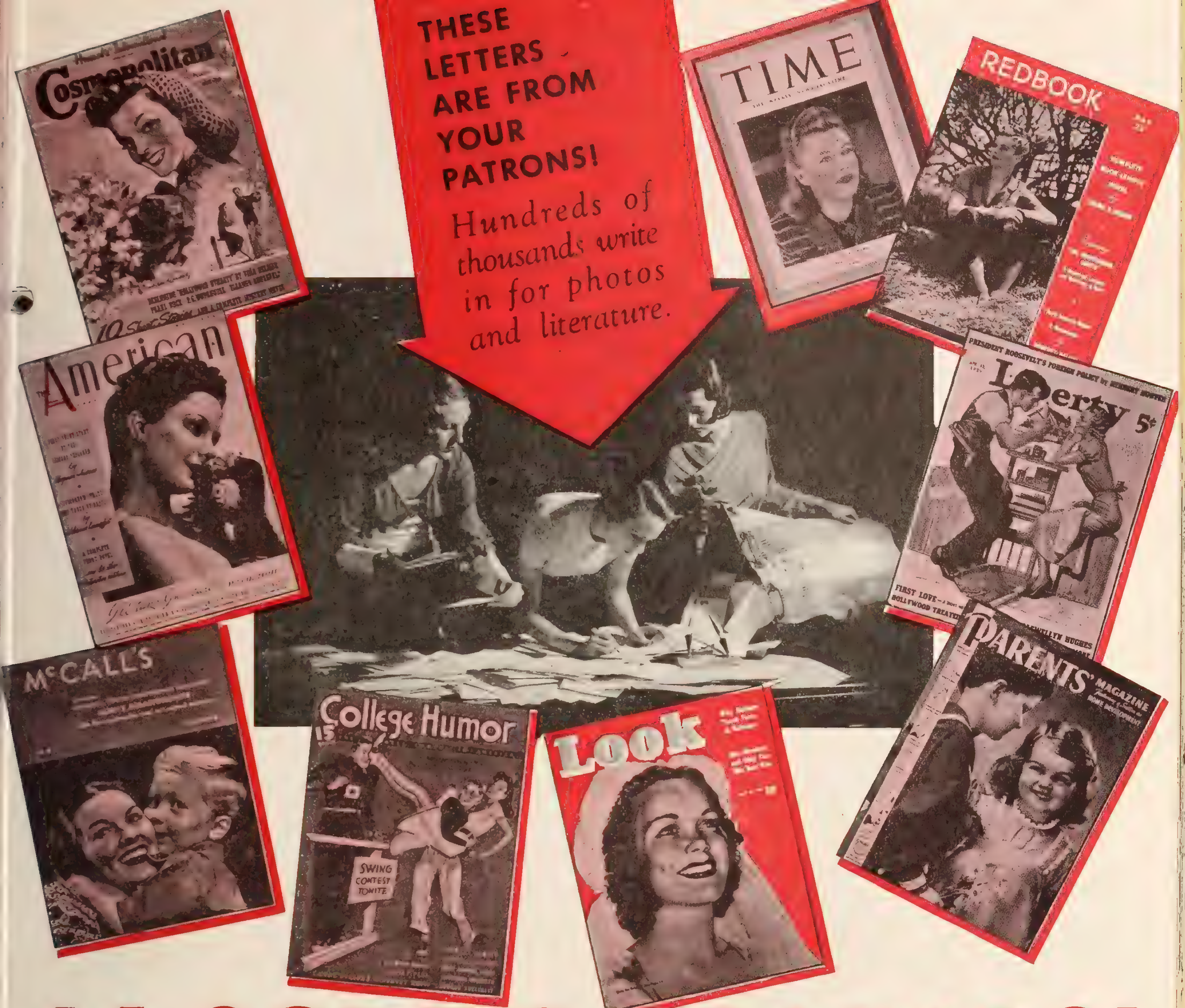
WIZARD OF OZ
*(More rhythmic notes)*
THE TIN WOODMAN
*(Jack Haley)*

The woodman with his blade so trusty
Must yield to oiling daily,
For when he weeps his joints get rusty.
Oh, Jeeper Weeper Haley!
*(To be continued)*

★ ★ ★ ★

May also comes in like a lion.

—*Leo*


THESE LETTERS ARE FROM YOUR PATRONS!
Hundreds of thousands write in for photos and literature.
Cosmopolitan
American
McCALL'S
College Humor
SWING CONTEST TONITE
Look
TIME
REDBOOK
Liberty 5¢
PRESIDENT ROOSEVELT'S FOREIGN POLICY
FIRST LOVE
HOLLYWOOD TREATS
PARENTS' MAGAZINE

# 46,301,519 READERS!

Each M-G-M representative has been provided with a booklet which shows in a national publishers' scientific survey the number of families reached by Leo's column (*which by the way is only one phase of M-G-M's vast direct-to-the-public advertising coverage*). This circulation blankets every city, town and hamlet in America and every range of purse. It pre-sells M-G-M attractions to your public. The response has been sensational. After only three months of existence Leo's column has acquired a regular following that watches for his gay message *every month* and writes in for the photos and booklets offered by The Friendly Company.

# 'Honolulu' in 2 Hub Spots Does $39,000

BOSTON, April 11. — "Honolulu" coupled with "Burn 'em Up O'Connor" at Loew's Orpheum and State hit the high spot, totaling $39,000 ($22,000 and $17,000 respectively) with two extra days each.

"Yes, My Darling Daughter" and "Torchy Blane in Chinatown" drew $18,500 at the Metropolitan. "Love Affair" and "Society Smugglers" at the Keith Memorial took $15,000 in a second week.

Estimated takings for the week ending April 5:

**"Star of Midnight" (RKO-reissue) (4 days, with vaude.)**
**"Lost Patrol" (RKO) (4 days, with vaude.)**
**"Devil's Island" (W. B.) (2nd run) (3 days)**
**"The Great Man Votes" (RKO) (2nd run) (3 days)**
RKO KEITH BOSTON—(3,000) (20c-30c-40c). Gross, $9,000. (Average, $8,000.)
**"Love Affair" (RKO)**
**"Society Smugglers" (Univ.)**
KEITH MEMORIAL—(2,790) (25c-35c-40c-55c) 6 days, 2nd week. Gross, $15,000. (Average, $15,000.)
**"One Third of a Nation" (Para.)**
**"Never Say Die" (Para.)**
PARAMOUNT — (1,797) (25c-35c-40c-55c) 7 days. Gross, $8,000. (Average, $9,000.)
**"One Third of a Nation" (Para.)**
**"Never Say Die" (Para.)**
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross, $5,000. (Average, $5,500.)
**"Yes My Darling Daughter" (W. B.)**
**"Torchy Blane in Chinatown "(W. B.)**
METROPOLITAN — (4,332) (25c-35c-40c-55c) 10 days. Gross, $18,500. (Average, $14,500.)
**"Honolulu" (M-G-M)**
**"Burn 'Em Up O'Connor" (M-G-M)**
LOEW'S ORPHEUM—(2,907) (25c-35c-40c-55c) 9 days. Gross, $22,000. (Average, $14,500.)
**"Honolulu" (M-G-M)**
**"Burn 'Em Up O'Connor" (M-G-M)**
LOEW'S STATE—(3,537) (25c-35c-40c-55c) 9 days. Gross, $17,000. (Average, $10,500.)
**"Blackwell's Island" (W. B.)**
**"Cafe Society" (Para.)**
SCOLLAY — (2,500) (25c-35c-40c-55c) 7 days (2nd run). Gross, $4,500. (Average, $5,500.)

# 'Criminal' Leads At $5,000 in Dull Milwaukee Week

MILWAUKEE, April 11.—Not a house did better than average in what proved to be one of the dullest weeks in the year. Weather was fair and cold.

Estimated takings for the week ending April 6:

**"Tundra" (Univ.)**
LITTLE THEATRE—(1,098) (30c-40c) 7 days. Gross: $2,000.
**"Let Us Live" (Col.)**
**"Blondie Meets the Boss" (Col.)**
PALACE—(2,400) (35c-50c) 8 days. Gross: $4,000. (Average, $4,000)
**"My Son is a Criminal" (Col.)**
RIVERSIDE—(2,300) (25c-30c) 7 days. Stage: Vaudeville. Gross: $5,000. (Average, $5,000)
**"Made for Each Other" (U. A.)**
**"The Great Man Votes (RKO)**
STRAND—(1,400) (35c-50c) 7 days, 2nd week. Gross: $1,500. (Average, $2,000)
**"King of the Turf" (U. A.)**
**"Blackwell's Island" (F. N.)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $4,000. (Average, $4,500)
**"The Hound of the Baskervilles" (20th-Fox)**
**"The Arizona Wildcat" (20th-Fox)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $5,000. (Average, $5,500)

# *Hollywood Previews*

## *"East Side of Heaven"*

(*Universal*)

HOLLYWOOD, April 11.—Universal presents a delightful box-office piece in "East Side of Heaven." A comedy with music, the picture contains a name cast, comedy, human interest and romance. Bing Crosby has the top role, and a substantial story adds to the entertainment, chief features of which, as in all Crosby vehicles, is his singing. Supporting him are Joan Blondell, Mischa Auer, Irene Hervey, C. Aubrey Smith, Robert Kent, Jerome Cowan, "Sandy," Jane Jones, Rose Valyda, Helen Warner, Jack Powell, the Music Maids and Matty Malneck and his orchestra. "Sandy," an 11-month-old baby recently put under contract by the studio, completely captured the hearts of the preview audience, which acclaimed the picture. Many of the lines were lost in audience laughter. William Conselman wrote the screenplay from an original story by David Butler and Herbert Polesie. Butler also directed, while Polesie produced. Art Director Jack Otterson's settings are notable for veracity on a wide range of backgrounds.

In addition to the exploitation of the four songs—"Hang Your Heart on a Hickory Limb," "East Side of Heaven," "Sing a Song of Sunbeams" and "That Sly Old Gentleman," all written by Johnny Burke and James V. Monaco—showmen have much on which to base a selling campaign.

Crosby, a singing messenger boy for a telegraph service, and Miss Blondell, switchboard operator in a hotel, are forced to postpone their wedding when he loses his job. Subsequently employed as a singing taxicab driver, Crosby becomes entangled in the fight of a wealthy family over the custody of a baby. The young wife, despised by the grandfather, leaves the child with Crosby. The complications are hilarious and serious, but Crosby straightens out matters for the family as well as for himself.

Running time, 90 minutes. "G."* VANCE KING

## *"The Family Next Door"*

(*Universal*)

HOLLYWOOD, April 10.—Domestic comedy is the entertainment substance of "The Family Next Door." Designed for family audiences and making no pretense at anything but clean, wholesome amusement, the production develops a respectable amount of humor in characterizations, situations and dialogue. The material provided for the players in the original screenplay prepared by Mortimer Offner is hardly new, but the manner in which it is put over by Hugh Herbert, Joy Hodges, Eddie Quillan, Ruth Donnelly, Juanita Quigley, Bennie Bartlett, Thomas Beck, Cecil Cunningham, James Bush and Frances Robinson under Joseph Santley's able direction give it a light and gay appeal.

Herbert, a hard working plumber, is encumbered by a family, all of whom have grandiloquent ideas. No matter how hard he tries to save money, his brood can think up ways of getting rid of it. Miss Hodges' desire for an artistic career and many romances give him trouble enough, but when his socially ambitious wife, Miss Donnelly and "genius" son, Quillan, team up to make a fortune in real estate, the lid of respectability almost blows off. But when the youngest child, Miss Quigley, demonstrates that what looked like a lot of mud is really a valuable silicate deposit, the comedy of errors reaches a happy conclusion.

Running time, 60 minutes. "G."* G. McC.

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*"G" denotes general classification.

## *State Operates Theatre*

MEXICO CITY, April 11.—Only cinema of the kind in Mexico is being operated by the Government of Morelos state. The theatre, Teatro Morelos, is operated at popular prices. Profits go to the state school building fund.

## *Cowan-Lewis Deal*

HOLLYWOOD, April 11.—Under terms of a new contract, Lester Cowan will be the producer of the Sinclair Lewis works on a cooperative basis similar to the setup existing with Edgar Bergen and W. C. Fields.

## *Weiner Back in Omaha*

OMAHA, April 11.—L. M. Weiner, who joined the Universal sales staff in Des Moines recently, has been transferred back to Omaha. Daniel McCarthy, formerly with United Artists here, has replaced McCarthy.

## *Vote I. A. Supervision*

PITTSBURGH, April 11.—Moving Picture Operators' Union, Local 171, has voted to retain I.A.T.S.E. supervision for two more years, after discussion about local autonomy led by Vice-President Richard Walsh and Secretary-Treasurer Lewis Krause.

# 'Wife' Clears Good $34,000 Chicago Gross

CHICAGO, April 11.—"Wife, Husband and Friend," bolstered by an all-colored stage revue—"Mikado in Swing," at the Chicago, grossed a neat $34,000, despite the expected check of Holy Week and Passover, plus cold and unsettled weather the latter half of the week.

Finishing its eighth week at the Apollo, "Pygmalion" took $5,000, a drop from last week, but still strong. The Palace with "Love Affair" and vaudeville in for a second week, saw a profit, grossing $16,000.

Estimated takings for the week ending April 5-8:

**"Pygmalion" (M-G-M)**
APOLLO—(1,400) (35c-55c-75c) 7 days, 8th week. Gross: $5,000. (Average, $6,500)
**"Wife, Husband and Friend" (20th-Fox)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: "Swing Mikado" Revue. Gross: $34,000. (Average, $32,000)
**"Oklahoma Kid" (W. B.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,500. (Average, $6,500)
**"Forged Passport" (Rep.)**
**"Strange Faces" (Univ.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,500. (Average, $13,000)
**"Love Affair" (RKO)**
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $16,000. (Average, $19,000)
**"Fast and Loose" (M-G-M)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $8,000. (Average, $11,000)
**"Ambush" (M-G-M)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Patricia Ellis and Revue. Gross: $12,000. (Average, $12,000)
**"Ice Follies of 1939" (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $11,000. (Average, $15,000)

# $10,500 for 'Kid' Indianapolis Best

INDIANAPOLIS, April 11. — Stage show offerings were the only ones to do well through the Holy Week calm here. Hoagy Carmichael and show, with "Oklahoma Kid" on the screen, pulled $10,500 at the Lyric, while a Hollywood Revue headed by John Boles took $7,000 for the Circle, where "Winner Take All" was the picture.

Estimated takings for the week ending April 7:

**"Three Smart Girls Grow Up" (Univ.)**
**"Beauty for the Asking" (RKO)**
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $1,500. (Average, $2,500)
**"Winner Take All" (20th-Fox)**
CIRCLE—(2,800) (25c-40c) 7 days. Stage: John Boles and Hollywood Revue. Gross: $7,000. (Average, $5,000)
**"Midnight" (Para.)**
**"King of Chinatown" (Para.)**
INDIANA—(3,200) (25c-40c) 7 days. Gross: $5,500. (Average, $5,000)
**"Fast and Loose" (M-G-M)**
**"Four Girls in White" (M-G-M)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6.000. (Average, $7,000)
**"Oklahoma Kid" (W. B.)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Hoagy Carmichael and Show. Gross: $10,500. (Average, $8,000)

## *Ampa Election Tomorrow*

Paul N. Lazarus, Jr., is slated to be elected president of Ampa at the meeting tomorrow at the Astor. All other nominees are also assured of election. There is no opposing slate.

## Air Industry Sets 'Open House Week' To Better Relations

Networks will devote considerable ime to "Open House Week," sponsored from April 17 to 23 by the [illegible]nal Association of Broadcasters and the Radio Maufacturers' Association to explain the American sys-em of broadcasting and to develop good will and understanding among broadcasters, set manufacturers and isteners.

Neville Miller, president of the N.A.B. and Bond Geddes, executive vice-president of R.M.A., will preview the celebration when they appear over NBC at 2 P.M. April 16 o discuss the purposes of the week. Thereafter throughout the week, NBC, CBS and Mutual will offer special programs . Among the speakers will be S. K. Ratcliffe, British ecturer, who will discuss the part radio has played in international affairs; Judge J. M. Braude, who will touch on the value of radio in preventing juvenile delinquency, and he Women's National Radio Committee annual award luncheon and broadcast.

## *Ohio Town Clamping Down on Bank Night*

**Mansfield**, O., April 11.—Despite a statement by city officials that there would be no immediate interference with Bank Night, which Warners' Madison plans to inaugurate, "until we see how the game is conducted," Mayor Claude M. Hunter has declared that arrests will follow payment of awards. Police Chief Meade K. Bates has been instructed to watch operations.

"If we have to make a test case of this, it will be up to the courts to decide whether Bank Night constitutes gambling," the Mayor said. He ermed the plan as promoting a "gambling kindergarten," asserting that it would serve to instruct minor patrons n gambling methods.

## *Pass Radio Slander Bill*

**Albany**, April 11.—Assembly today passed the Moffat bill which extends to adio stations, announcers and sponsors he same freedom from libel and slander suits now granted newspapers. Newspapers are protected from such suits under the "fair comment" rule when reporting official proceedings.

## *NBC Appeals Judgment*

NBC has filed an appeal in the Pennsylvania Supreme Court from a $15,000 judgment awarded by a lower court for allegedly disparaging remarks about the Summit Hotel, Union-own, Pa., during an Al Jolson broadcast.

## *Robinson Lux Star*

Edward G. Robinson will take the leading role in "Bullets and Ballots" which is the Lux "Radio Theatre" feature next Monday. Supporting him will be Humphrey Bogart, Mary Astor and Otto Kruger.

## *Women Run Four Mexican Stations*

**Mexico City, April 11.—Four important local radio stations are owned and operated by women, one of them a widow. This is a new vocation for Mexican women. The stations are XEN, 1,000 watts; ZEBZ, 100 watts; XEBS, 200 watts, and XELZ, 100 watts.**

## CBS Taking Over 2 NBC Programs

CBS sales department, which recently took the Amos 'n' Andy commercial away from NBC, yesterday won over two more accounts from NBC in the Sealtest and Bowey, Inc. programs.

It is understood also that the American Tobacco Co. current program on NBC for Pall Mall cigarettes is on its way over to CBS.

Sealtest's series, a dramatic strip titled "Your Family and Mine," moves over May 1, Monday through Friday, 2:30 to 2:45 P. M., over 35 stations. Sealtest has been an NBC client for the past three years. McKee & Albright is the agency.

Bowey, currently sposoring the strip "Terry and the Pirates" on NBC, will scrap the program and starting June 4 will present a new series titled "Swingnewsical" over a 35-station CBS hookup. Broadcast schedule is Sundays from 11 to 11:30 A.M. until October, when the show will be heard at 2:30 P.M. Sundays. Bowey has been a long-standing NBC Commercial.

## *Census Bureau Aske To Check Radio Sets*

**Washington**, April 11.—Federal Communications Commission has requested the Census Bureau to count radio receiving sets to determine the potential effectiveness of emergency broadcasts during a national crisis.

The F.C.C. has requested the Census Bureau to ask each family how many radios it owns when the census is taken next year.

## Steuer Sees RCA Suit Trial in Fall

Max D. Steuer, trial counsel for minority stockholders of RCA, said yesterday that the trial of the stockholders' suit brought against RCA, its officers and directors, A. T. & T., Westinghouse, and General Electric, probably will be held in the fall.

Steuer said a large number of examinations before trial of officers of the defendants will be necessary in preparation of the suit, and that these examinations are already under way. An amended consolidated complaint will be filed in the N. Y. Supreme Court within the next few days.

## *Toscanini Watches NBC Drama Telecast*

A half-hour television broadcast yesterday at NBC studios included in its audience Arturo Toscanini, George S. Kaufman, the playwright, and Edna Ferber. At the conclusion of the drama, Max Gordon, NBC's adviser on television, spoke for the cameras, expressing the hope that "we may soon have television all over the world."

Today F.C.C. members will inspect television facilities at NBC and witness a broadcast, and tomorrow a demonstration will be given for delegates to the Associated Press convention.

## *Prepare Fight Telecast*

**London**, April 11.—An arrangement has been made by Baird and Gaumont British for special shadow lighting to be installed for the theatre telecasting of the Farr-Burman fight April 13 in the Marble Arch and Tatler Theatres. Admission will be from 50 cents to $1.50.

## *Issue Fair Radio Form*

Radio division of the World's Fair has issued its official broadcast form to all networks and stations desiring microphone placements at the Fair. It provides that all stations share alike in broadcasts originated by the Fair management, but stations which originate their own ideas mav have them exclusively.

## *Tax on Televised Sporting Events Proposed in Albany*

**Albany**, April 11.—State Senator Phelps Phelps, Manhattan Democrat, offered the first tax proposal on television in the New York legislature last night. Commercial rights on televised, motion picture or radio broadcasting of boxing, sparring or wrestling bouts held under the Law of 1920 would be subject to a five per cent gross tax, payable to the state, if the Phelps bill is passed.

Amending Chapter 912, the Phelps bill would add the following language: "Gross income received from the sale of broadcasting, motion picture and television rights shall be subject to a tax of five per centum."

The Manhattan Senator, heard on Sunday nights over WMCA and the Inter-City Network, said the bill was not aimed at the industries affected and pointed out the the present law taxes both radio and motion picture rights of contests in this state.

"Televised pictures of fights and wrestling bouts will undoubtedly be commercially sponsored," Senator Phelps asserted, "and the promoters, in paying on the gross proceeds to the extent of five per cent, are not being discriminated against since they already do substantially that on their film and radio rights."

## ▶ *Radio Personals* ◀

Lester Grady, who formerly edited *Radio Stars* is now editor of *Silver Screen*. . . . Larry Elliott will do the WABC news period for Bosco products. . . . Jack Oakie will be guest for Dick Powell next Tuesday night. . . . After being absent from the air for almost two years due to illness, Mrs. Jim Jordan, "Molly McGee," returns to the air next week. . . . V. F. Neilsen, manager of CFCF, Montreal, is in New York on station business. . . . Another out-of-town manager here on business for the week is Thayer Ridgeway of KHJ, Los Angeles.

## Discuss Copyright Application to Air

Application of copyright to transcribed radio material of a literary, dramatic or musical nature, and to the same material when used in television is being considered in the current intra-industry study of revision of the Federal Copyright laws, according to a statement from the M.P.P.D.A. yesterday.

The conferences on revisions in the American law which may make it possible for the United States to become a member of the Berne International Copyright Convention have been in progress all winter, with film industry representatives participating. Next meeting is set for April 18. On the film committee are E. P. Kilroe, 20th Century-Fox; Robert W. Perkins, Warners; Gabriel Hess, M.P.P.D.A., and Edward Sargoy, Copyright Protection Bureau.

Copyright subjects in addition to those involving recordings for audible communication in which the film representatives are participating include remedies for infringement of copyright; formalities in the creation, preservation and transfer of rights under copyright, and the reprinting of single copies of out-of-print works for purposes solely of library research.

## *Detroit Tops RKO Drive*

At the halfway mark in the George Schaefer RKO sales drive, Detroit is leading. New York is in second place and Los Angeles third. The southeastern district leads, and the eastern division is ahead of the western. The week preceding June 2, last day of the drive, has been dedicated by the western and southern division offices to their respective district managers.

## *Mexican Youngsters Ordered to See Film*

**Mexico City, April 11.—General orders for all grade school children here to attend a theatre were issued for the first time by the Public Education Department. The picture is "Professor Mamlock," Russian film. The children were admitted at two cents a head to see this revolutionary film.**

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45. NO. 71 — NEW YORK, THURSDAY, APRIL 13, 1939 — TEN CENTS

## Army Plans to Use Television If Adaptable

### *Signal Corps Watching Development Closely*

WASHINGTON, April 12.—The War Department is right on the heels of television development in the expectation that at any moment it may introduce methods adaptable to military uses.

Signal Corps officers are in constant contact with the experimental work of companies interested in television, but up to the present have been unable to determine much of military application. Better results have been achieved with facsimile, in which the Department has long been interested. Used in Army maneuvers at Fort Knox, facsimile has been perfected to a point where photographs can be taken from planes, brought down and in 10 minutes furnished to commanding officers in print form for study.

### No Plan for Subsidy

The Government has no plans for a subsidy to further television experiments by commercial companies. Both the War and Navy Departments have laboratories at which they could conduct their own.

While television in its present stage is not adaptable to military uses, in this country at least, Army officials are confident it eventually will become an important implement. Experiments in its military uses abroad are being closely followed.

Radio network circles in New York believe that television development

(Continued on page 7)

## *Warner Debenture Plan Goes in Effect*

Warner directors have declared the company's debenture exchange plan effective, under which $19,388,000 of optional 6 per cent convertible debentures, due 1939, deposited, may be exchanged for debentures due in 1948.

Certificates of deposit are exchangeable at the New York Trust Co. The new series of debentures is listed on the New York Stock Exchange. The right has been extended to holders of $6,196,000 undeposited debentures to exchange for new debentures by May 1. at the Manufacturers Trust Co.

The company had the right to declare the plan effective when 75 per cent or more of the outstanding debentures had been deposited for exchange.

## *Neely Bill Only One More Sign of Spring*

**Washington, April 12.—Declaring the Children's Bureau of the Federal Department of Labor has been unable to dig up any information showing that films induce juvenile delinquency, Mrs. Willer Tileston, New Haven, vice-president of Theatre Patrons, Inc., told the Senate subcommittee today that the Neely Bill "bobs up as regularly as the flowers that bloom in the spring, but doesn't smell as sweet."**

**The witness paid her respects to her civic organization sisters who appeared earlier in support of the bill, declaring they "came to destroy" and give little thought to definite steps toward the improvement of pictures.**

## I.T.O.A. Wants All Disputes Arbitrated Under Industry Pact

All disputes between exhibitors and distributors should be made the subject of arbitration under the proposed trade practice code, the I. T. O. A. recommends in suggesting certain changes. Furthermore, the organization wants licensing terms and conditions not subject to arbitration made more specific.

While approving the code in principle at a meeting yesterday at the Astor, the I. T. O. A. authorized its president, Harry Brandt, to continue

(Continued on page 7)

## Upstate Clearance Adjustment Sought By New York Allied

Adjustment of clearance and zoning arrangements in several upstate New York cities is being worked on by committees appointed by New York Allied in Buffalo, Syracuse, Rochester, Albany and Troy.

The organization feels that the problems can be worked out by conference rather than by litigation or legislation. It has no plans to seek changes in clearance and zoning in New York City, where the rules are already well established. There have been no complaints by local exhibitors to Allied.

Today's meeting called by Allied in Buffalo is the first of a series in which new clearance setups will be considered. Tomorrow there will be a meeting in Rochester. After agreements are worked out with the first runs and large circuits, the pacts will go to the distributors for approval.

Allied aims to have clearances reduced over the independent subsequents and neighborhoods, seeking to cut the interval from first to last runs charging 15 and 20 cents to 60 or 70 days. It is claimed that it now takes three and a half months. Allied feels reduced clearances would permit the distributors to recoup their film investment in a shorter time.

### *Won't Cut 'Nazi Spy'*

HOLLYWOOD, April 12.—Warners said today that, despite protests registered by various sources, scenes showing Adolf Hitler, Paul Goebbels and Herman Goering will remain in "Confessions of a Nazi Spy." Actors who play the roles will not be identified.

## Assails Neely For Treatment Of Bill's Foes

### *Sen. White Protests on Colleague's Tactics*

WASHINGTON, April 12.—The summary treatment of opposition witnesses by Senator Neely today evoked a protest from Senator White.

Breaking into Neely's questioning of Dr. H. Lesourd of Boston University, the tenor of which was to show the educator as a paid emissary of the distributors, Senator White caustically asked the West Virginia member whether the fact that the witness came "at the solicitation or with the knowledge of the motion picture group" was sufficient to repudiate him.

Neely declared his only purpose was to develop the background of witnesses and charged White with being an "advocate of opposition," drawing from the latter an iteration of his statement that Neely was "challenging the motive of witnesses."

The entire interchange between Senators Neely and White was later deleted from the record of the hearings by unanimous consent.

The flare-up came as Dr. Lesourd was hammering the bill, challenging

(Continued on page 7)

## New Contract for Local 306 Signed

New contract covering terms recently agreed upon with Local 306 for home office and exchange projection room operators was completed and signed early yesterday by union officials, distributor and circuit representatives.

No official statement was issued on dating of the pact, the only point in dispute following the agreement on wages and hours last Saturday which ended the two-week projectionists' strike. However, it was generally conceded that the agreement will either be dated as of Sept. 1, 1938, or the dispute will be submitted to the State Mediation board for settlement. The 1938 dating will continue the present terms until Sept. 1, 1940, whereas dating of the contract one year earlier, according to one union interpretation of its retroactive features, would necessitate negotiations again next September.

New terms give projection room operators a 35-hour week and an average 15 per cent wage increase to $87.50 weekly wherever such scales were not already in effect.

## *Skouras Sees Television Supplanting Double Bills*

LOS ANGELES, April 12.—Television in theatres eventually will take the place of the second feature on double bills, Charles Skouras, Fox West Coast head, said last night in a talk at the homecoming dinner given him by Film Row.

Addressing affiliated and independent exhibitors, exchange men and others at the Elks Temple, Skouras told of his experiences abroad and declared television when it comes will not hurt the exhibition business and that it will be successful in theatres, "and nowhere else."

He promised fair dealings in the grievances brought to his attention by independent exhibitors. Dr. A. H. Giannini acted as toastmaster. Other speakers were George Smith and Jack Brower, Paramount and Warner exchange managers, respectively, and Albert A. Galston, president of the I.T.O. of Southern California.

Galston complimented Skouras on for assuming the leadership in Southern California exhibition, to make it the "white spot" in U. S. exhibition with the highest average admission price.

Skouras was presented with a scroll signed by the guests, welcoming him home.

## GN Finance Deal May Be Set Today

Arrangements for new financing and new season product for Grand National may be completed today or tomorrow. Earle W. Hammons, Educational-Grand National president, has been conferring with principals almost uninterruptedly for the past three weeks with the result that the discussions may be consummated momentarily.

Among the immediate possibilities for the new Grand National production lineup is the return of Franklyn Warner and his Fine Arts organization to the Grand National fold. Warner, who arrived from the coast this week, has conferred with Hammons, Jeffery Bernerd and Maurice Wilson during the past few days and stated yesterday that he expected to be able to say today whether or not he would become associated with Grand National once more.

## *Schwartz Replies to Goldwyn's Statement*

Charles Schwartz, of counsel to United Artists, yesterday replied to Samuel Goldwyn's statement on the objectives of the latter's suit against the company, which was issued Tuesday through Max D. Steuer, Goldwyn's attorney. The Schwartz statement asserted that the objectives of the Goldwyn action as set forth in his complaint, and the producer's grievances against the company, are not the same as those set forth in the Steuer statement.

"The truth is," Schwartz's statement declares, "that Goldwyn is unhappy because he cannot obtain a voting trust with himself as sole voting trustee, so that he can thereby completely dominate and control the company's destiny."

Schwartz disclosed that in his new action against the company filed in Federal court in Delaware on Tuesday, Goldwyn has abandoned his request for reinstatement of his old two-picture-a-year contract, which he had asked in his original action filed in the New York court. The pending suit asks merely that Goldwyn's existing United Artists' contract be cancelled. This remedy, too, spokesmen for the company point out, is contrary to the Goldwyn-Steuer statement that the action was being brought merely to determine whether there had been a breach of Goldwyn's existing contract.

## *Monogram Plays Host*

Monogram was host to newspaper and fan magazine critics at a luncheon yesterday at the Park Central, following a screening of "Streets of New York." Lou Lifton, advertising and publicity director for Monogram, was in charge.

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# *Purely Personal*

C. C. MOSKOWITZ, vice-president of Loew's, and Seymour Mayer, Loew district manager, are leaving tomorrow for a three-week vacation in Florida and Havana.

•

Floyd C. Henry, Paramount manager in the Philippines, sailed from Manila yesterday on the *Empress of Canada* on his first vacation in three years. He will stop off at his home in Seattle before coming to New York.

•

Leon G. Turrou will begin a series of personal appearances at the Strand today, tomorrow and Saturday, in conjunction with "Confessions of a Nazi Spy," on which he served as technical advisor.

•

Charles D. Prutzman, Universal vice-president, is occupying J. Cheever Cowdin's office while the latter is vacationing and decorators are in possession of Prutzman's own quarters.

•

Phil Goldsmith, Cincinnati theatre man, taken ill on a trip to the coast, has returned to Cincinnati and is confined to Jewish Hospital.

•

Leonard Snyder, formerly with American Record, has joined Consolidated Film Industries as assistant general manager.

•

Jack L. Warner will be host tomorrow at the Warner studio at a party in honor of the 75th birthday of May Robson.

•

A. H. McCausland will be tendered a testimonial dinner tonight at the Hotel Astor by his friends at RKO.

•

Walter Reade, Jr., and Jay Wren of the Walter Reade Theatres left yesterday for a brief trip upstate.

•

D. C. Hickson, president of General Service Studios, Hollywood, arrived yesterday for a short stay.

•

Louis D. Frohlich and John G. Paine have been battling anti-Ascap legislation in Vermont.

•

Harry Smythe has been named Tri-National district manager in Chicago.

•

Samuel Machnovich, Universal treasurer, has returned from a Florida vacation.

MORRIS HELPRIN, Alexander Korda's American advertising and publicity representative, returns tomorrow on the *Aquitania* from England.

•

C. F. Flannagan, Erpi chief engineer, leaves today by train to attend the S. M. P. E. convention on the coast next week. He will be gone three weeks.

•

Vincent Hart is back at eastern headquarters of the Production Code Administration after three months' work in the Hollywood office of the Joseph I. Breen staff.

•

Ruth Morris of the William Morris office has gone to the coast with her husband, William C. White, who has a writing contract at M-G-M. She plans to stay a month.

•

Herbert Griffin, vice-president of International Projector Corp., is visiting coast branches of National Theatre Supply and will attend the S. M. P. E. meeting there next week.

•

Anthony Nelle, who worked for two years as a director at German studios, has arrived from abroad en route to Hollywood. At one time he was production chief for the Roxy and Fox theatres.

•

Harold Hendee, research director for RKO, left New York yesterday to speak at the banquet of the Cleveland Cinema Club Festival this evening.

•

Mike Godshaw has replaced Dick Sachsel on the Chicago sales staff of National Screen Service.

•

Jack Kirsch, president of Allied Theatres of Chicago, is on vacation at Hot Springs, Ark.

•

Robert Barrat left for the coast last night via United Airlines.

•

Bill Mack has succeeded Jack Harris as Warner city salesman in Chicago.

•

Ed Schnitzer, Warner eastern district manager, returns today from Buffalo.

•

C. W. Farrier, television coordinator for NBC, is vacationing.

•

Will H. Hays has returned from Washington.

## *Van Dine Is Dead; Wrote Film Thrillers*

S. S. Van Dine, mystery thriller author, died here Tuesday night. He was the creator of Philo Vance, worthy successor of Sherlock Holmes. Several of the yarns in the Vance series were transferred to the screen. Van Dine, who in private life was Willard Huntington Wright, was a native of Charlottesville, Va. He was born there 51 years ago. He turned to writing detective fiction as relaxation when recuperating from a nervous breakdown.

## *Tobis Files French Suit Against Chaplin*

Tobis has filed suit in Paris against Charles Chaplin and United Artists charging that "Modern Times" infringes the old Tobis film, "A Nous La Liberte," according to notices served on Schwartz & Frohlich, Chaplin counsel, yesterday. French action is believed to be a duplicate of the suit filed by Tobis in New York some time ago.

French action seeks injunction, accounting and judgment of 1,000,000 francs.

## *Kirsch Appeals for Return to Singles*

**Chicago, April 12.—Jack Kirsch, president of Allied of Illinois, in a letter released today, states that return to single features is the only salvation for independent exhibitors, as well as for producers and distributors.**

**The letter, addressed to Harry Brandt, president of the I.T.O.A., said that 95 per cent of Chicago's independent exhibitors would adopt singles if the larger circuits would do likewise. He added that all houses would profit by closing their box-offices at 9 o'clock.**

## ITOA Again Seeks End of Double Bills

A city-wide agreement of exhibitors to abolish double bills is envisioned by the I.T.O.A., which is still hoping that this can be accomplished. If the independents can be brought to agree, the circuits will join the move.

Meantime the I.T.O.A. is continuing its nationwide survey on exhibitors' attitude on the subject, aiming to obtain a cross-section of opinion in order to discuss the matter intelligently with the circuits and distributors.

## *Tax Trailer in Ohio*

Columbus, April 12.—I.T.O. of Ohio has prepared a short trailer to be attached to newsreels, and furnished exhibitors without charge, in which Gov. John W. Bricker urges Ohio citizens to cooperate in saving retail sales tax stamps, which the state will redeem at their face value of $3 for each $100 in stamps, beginning May 1.

## *Reelect Erpi Officers*

All officers and directors of Erpi were reelected at the company's annual meeting. Officers are T. Kennedy Stevenson, president; H. G. Knox, D. C. Collins and Clifford Smith, vice-presidents, and F. B. Foster, treasurer.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

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# 'Missouri' in Philadelphia Does $17,300

PHILADELPHIA, April 12. — Holy week cut into business here. Best grosser was the film and stage show at the Fox, "I'm from Missouri" and Joe E. Lewis, Joe Venuti and Hal LeRoy, which drew $17,300.

"Midnight" at the Aldine in its second week did $9,500.

Estimated takings for the week ending April 6:

**"Midnight" (Para.)**
ALDINE—(1,300) (32c-42c-57c) 7 days, 2nd week. Gross: $9,500. (Average, $8,160)
**"Adventures of Huckleberry Finn" (M-G-M)**
ARCADIA—(600) (26c-42c-57c) 5 days. Gross: $2,200. (Average, 7 days, $2,800)
**"The Hound of the Baskervilles" (20th-Fox)**
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $9,400. (Average, $14,000)
**"Stagecoach" (U. A.)**
EARLE—(2,000) (26c-42c) 7 days. Gross: $6,700. (Average, $8,000)
**"I'm from Missouri" (Para.)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days film—6 days stage. Stage: Joe E. Lewis, Joe Venuti band, Hal LeRoy, Niela Goodelle. Gross: $17,300. (Average, $16,000)
**"The Little Princess" (20th-Fox)**
KARLTON—(1,000) (26c-42c-57c) 6 days. Gross: $3,500. (Average, 7 days, $4,000)
**"Love Affair" (RKO)**
KEITH'S—(2,000) (26c-42c-57c) 8 days. Gross: $4,800. (Average, 7 days, $4,000)
**"On Trial" (W. B.)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $4,200. (Average, $4,500)
**"Three Smart Girls Grow Up" (Univ.)**
STANLEY—(3,700) (32c-42c-57c) 8 days. Gross: $8,500. (Average, 7 days, $14,000)
**"Sergeant Madden" (M-G-M)**
STANTON—(1,700) (26c-32c-42c) 10 days. Gross: $7,000. (Average, 7 days, $7,000)

# '3 Smart Girls' at $8,000 in Detroit Despite Holy Week

DETROIT, April 12.—Despite the inroads on grosses of Holy Week, "Three Smart Girls Grow Up", and "My Son Is a Criminal" took a strong $8,000 at the Adams.

"Never Say Die" and "St. Louis Blues" at the Michigan drew $11,500.

Estimated takings for the week ending April 6:

**"Three Smart Girls Grow Up" (Univ.)**
**"My Son Is a Criminal" (Col.)**
ADAMS—(1,700) (15c-40c) 7 days. Gross: $8,000 (Average, $5,000.)
**"Blondie Meets the Boss" (Col.)**
FOX—(5,000) (20c-65c) 7 days. Stage variety. Gross: $16,000. (Average, $20,000.)
**"Never Say Die" (Para.)**
**"St. Louis Blues" (Para.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $11,00. (Average, $10,000.)
**"King of the Turf" (U.A.)**
**"The Mystery of Mr. Wong" (Mono.)**
PALMS-STATE—(3,000) (20c-50c) 7 days. Gross: $4,500. (Average, $5,000.)
**"Ice Follies" (M-G-M)**
UNITED ARTISTS—(2,000) (25c-65c) 7 days. Gross: $8,000. (Average, $10,000.)

## *Heads Columbia Club*

Phil Weissman has been elected president of the Columbia Club, employe organization of Columbia. Other officers are S. J. Pakiff, first vice-president; Frances Goldberg, second vice-president; Arthur Aberman, financial secretary; Elizabeth Schwartz, secretary; Norma Fulak, assistant secretary.

# *Hollywood Previews*

## *"Back Door to Heaven"*

*(Paramount-Odessco)*

HOLLYWOOD, April 12.—By way of graphic illustration "Back Door to Heaven" establishes itself as a revealing sociological study to which a grim sort of entertainment accrues. The story impressively heroizes a boy who never had a chance, more or less glorifies those whose childhood ambitions were frustrated upon reaching maturity, and makes a heavy of a social order that lets one set get richer and more powerful while another grows poorer and weaker.

In the main the show is personal melodrama. Still it includes a line of bitter humor, and for a short time a love interest. The cast includes Wallace Ford, Aline McMahon, Stuart Erwin, Patricia Ellis, Bert Frohmann, Van Heflin Bruce Evans and, in the prologue, Jimmy Lydon. Written, produced and directed by William K. Howard, the picture makes several noticeable departures from general trends. All but a few lines of dialogue are in a conversational tone.

In the prologue, a class graduates from Miss McMahon's grammar school. All but one, (Lydon, later Ford) have ambitions. The boy who never had a chance goes to reform school, later to the penitentiary. All but one of his school group who becomes a banker fail in their ambitions. Years pass and Ford, determined to go straight, takes a pair of convict pals back to his home town. But again the cards are stacked against him. Only his old teacher seems real and human. Then his pals, Erwin and Frohmann, stage a robbery. Though Ford wasn't there, his record is against him and he is sentenced to death for murder. He breaks jail to appear before his reuniting schoolmates to deliver a message of justice, charity and understanding before disappearing to die in a hail of bullets.

Running time, 85 minutes. "G."* G. McC.

## *"The Lady's from Kentucky"*

*(Paramount)*

HOLLYWOOD, April 12.—Neither in title nor in cast strength does this picture look like the entertainment and commercial proposition it turns out to be. When one examines into data other than name and names, some interesting features are revealed. "The Lady's from Kentucky" is a different kind of race horse picture. There are two races in it, one in the first and another in the last reel. Both are spectacular and exciting. There is no racket or skullduggery, no horse doping nor any similarly trite stuff.

The picture is a story of a gambler and a lady who loves horses simply because they are horses, Kentucky thoroughbreds, and not mere money making machines. While the picture does considerable dillydallying, including much Hugh Herbert and Zasu Pitts comedy, before it reaches its point, gambler George Raft, learning to love horses when he understands Ellen Drew loves him, nevertheless forces "Roman Son" to break its heart in winning a Kentucky Derby.

In the manner in which the picture gives intimate glimpses into the training of thoroughbreds from the moment of foaling until they stand at the starting barrier, it is packed with material that makes for popular appeal and given a different kind of romantic character. Actually, these incidents are circused, and suggest that exploitation work take on a circus atmosphere.

In staging the Rowland Brown story, which Malcolm S. Boylan adapted and which Alexander Hall directed, producer Jeff Lazarus endeavored to inject plenty of potential showmanship into the film.

Running time, 75 minutes. "G."* G. McC.

---

**"G" denotes general classification.*

## *Kunzman on Coast*

HOLLYWOOD, April 12. — William C. Kunzman, convention vice-president of the Society of Motion Picture Engineers, has arrived here to prepare for the four-day convention at the Hotel Roosevelt, starting Monday. E. A. Williford, S. M. P. E. president, will arrive today.

## *Goes to Straight Films*

DAYTON, O., April 12.—RKO Colonial, playing stage shows and pictures since last Labor Day, has gone to straight films. The combination policy is expected to be resumed in the fall.

## *Toronto Skater Signed*

TORONTO, April 12.—Stewart Reburn of Toronto has been signed to be the skating partner for Sonja Henie in her next film vehicle and has been instructed to report in Hollywood on April 25. Reburn is a former Canadian amateur figure skating champion.

## *Va. Manager Acquitted*

NORTON, Va., April 12.—W. A. Byers, Norton theatre manager, was acquitted on a charge of operating his house on Sunday. His was the first Wise County case involving the Sunday laws to go before a jury.

# 'Smart Girls' Frisco Smash Pulls $16,000

SAN FRANCISCO, April 12.—"Three Smart Girls Grow Up" was a hit here, grossing a smash $16,000 at the Orpheum. "I'm from Missouri" and "The Lady Vanishes" was good at the Warfield with $10,500 and "The Family Next Door" plus vaudeville grossed $13,500 at the Golden Gate.

Warm weather and the exposition hurt grosses.

Estimated takings for the week ending April 4-7:

**"The Family Next Door" (Univ.)**
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,500. (Average, $15,000)
**"King of the Turf" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65c) 9 days. Gross: $6,000. (Average, $8,000)
**"3 Smart Girls Grow Up" (Univ.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $8,000)
**"Hound of the Baskervilles" (20th Fox)**
**"Everybody's Baby" (20th Fox)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days. Gross: $13,000. (Average, $16,000)
**"Sergeant Madden" (M-G-M)**
**"Fast and Loose" (M-G-M)**
PARAMOUNT—(2,740) (15c-35c-40c-55c-75c)) 7 days, 2nd week. Gross: $7,200. (Average, $11,500)
**"Oklahoma Kid" (W. B.)**
**"My Wife's Relatives" (Rep.)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c-75c) 7 days, 3rd week. Gross: $5,000. (Average, $6,000)
**"I'm From Missouri" (Para.)**
**"The Lady Vanishes" (G. B.)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days. Gross: $10,500. (Average, $12,000)
**"The Story of a Cheat" (Gallic)**
CLAY—(400) (15c-35c-40c) 7 days, 5th week. Gross: $700. (Average, $1,000)
**"Volochayevsk" (Amkino)**
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $850. (Average, $1,000)

# 'Wife, Husband' at $6,000, Montreal

MONTREAL, April 12.—"Pygmalion" grossed $4,500 in its third and final week at Loew's. The weather and Holy Week hurt business.

"Wife, Husband and Friend" took $6,000 at the Palace, and "Hotel Imperial," on a double bill at the Princess, accounted for $3,500.

Estimated takings for the week ending April 8:

**"Fast and Loose" (M-G-M)**
**"Everybody's Baby" (20th-Fox)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $4,500. (Average, $8,000)
**"Pygmalion" (M-G-M)**
LOEW'S—(2,700) (30c-40c-60c) 7 days. Gross: $4,500, 3rd week. (Average, $7,000)
**"The Lost Patrol" (RKO)**
**"Star of Midnight" (RKO)**
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $1,500, 2nd week. (Average, $5,000)
**"Wife, Husband and Friend" (20th-Fox)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $6,000. (Average, $10,000)
**"Hotel Imperial" (Para.)**
**"Sudden Money" (Para.)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $3,500. (Average, $6,500)

## *Shift in Toronto*

TORONTO, April 12.—Mike Goodman, formerly exploitation manager of Colonial Pictures Ltd., Toronto, has been appointed manager of the Duchess Theatre. Aaron Wolfe, previously at the Duchess, is now in charge of the Rex, Toronto, in succession to S. Goldstone who is operating the new Centre Theatre at Peterborough, Ont.

# DODGE

THE BIG MONEY NOW!

# DARK

THE BIG MON

# WARNE

TH

# CITY

*(Nothing on the market even approaching it!)*

# VICTORY

**Y NEXT WEEK!**

*(Radio City will head giant simultaneous send-off!)*

# R BROS.

**BIG MONEY COMPANY!**

*(Fair play all the way!)*

## 'Huck Finn' Does $8,500 In Twin Cities

MINNEAPOLIS, April 12.—With the loop dominated by children's films, "Fast and Loose" as the only exclusively adult fare got the best business at the Century, with $5,500.

In St. Paul, the combination of the Breese stage show and "Huckleberry Finn" led with $8,500.

Estimated takings for the week ending April 6:

### *Minneapolis:*

**"Inside Story" (20th-Fox)**
**"Society Smugglers" (Col.)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,300. (Average, $1,500)
**"Fast and Loose" (M-G-M)**
CENTURY—(1,600) (25c-40c) 7 days. Gross: $5,500. (Average, $4,000)
**"Spirit of Culver" (Univ.)**
GOPHER—(990) (25c) 7 days. Gross: $2,300. (Average, $2,500)
**"The Little Princess" (20th-Fox)**
STATE—(2,300) (25c-40c) 7 days. Gross: $5,500. (Average, $4,400)
**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-55c) 7 days, 5th week. Gross: $1,500. (Average, $1,400)

### *St. Paul:*

**"The Adventures of Huckleberry Finn" (M-G-M)**
ORPHEUM—(2,000) (35c-55c) 7 days with Lou Breese, Stepin Fetchit, Armida on the stage. Gross: $8,500. (Average, $3,200)
**"The Little Princess" (20th-Fox)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $3,800. (Average, $4,000)
**"King of the Turf" (U. A.)**
RIVIERA—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,800)
**"Devil's Island" (W. B.)**
**"Fisherman's Wharf" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,500)
**"Pygmalion" (M-G-M)**
WORLD—(1,000) (25c) 7 days, 2nd week. Gross: $1,100. (Average, $700)

## Kay Kyser Band and 'Blackwell's' Smash $25,500 in Capital

WASHINGTON, April 12. — Holy Week held no terrors at the Earle, where Kay Kyser's orchestra and "Blackwell's Island" came close to a record for the Warner house, grossing $25,500.

"Love Affair" pulled a strong $11,500 in its second week at RKO Keith's.

Estimated takings for the week ending April 6:

**"Sergeant Madden" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-65c) 7 days. Stage: Eddie Peabody. Gross: $17,000. (Average, $16,500)
**"Pygmalion" (M-G-M)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 2nd run, 2nd week. 7 days. Gross: $5,100. (Average, $4,500)
**"Cafe Society" (Para.)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $10,500. (Average, $12,000)
**"Love Affair" (RKO)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. Gross: $11,500. (Average, $6,000)
**"Blackwell's Island" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage: Kay Kyser & orch. Gross: $25,500. (Average, $16,000)
**"On Trial" (W. B.)**
WARNERS' METROPOLITAN — (1,591) (25c-40c) 7 days. Gross: $3,100. (Average, $4,000)

## *Repurchases Theatre*

AUDUBON, IA. — April 12.—Harry Pace, former owner of the Broadway, has bought it back from A. R. Miller.

## *Autographounding*

**Autograph hounding de luxe is the new service established by an organization calling itself Celebrity Service, which for a fee tells clients where visiting celebrities may be found. In order to tip off autograph seekers where Hollywood players spend their evenings, the service has arranged with the Telephone Answering Service to handle such calls after office hours.**

## 'Honest Man' with Stage Show Does $19,000, Cleveland

CLEVELAND, April 12.—"You Can't Cheat an Honest Man," despite Holy Week, at the RKO Palace with Tony Martin as the vaudeville headliner, drew $19,000. "Love Affair" playing a second week downtown at the Allen took $6,800.

"The Little Princess" drew $10,700 at Warners' Hippodrome and "Sergeant Madden" at Loew's State had a $9,000 week. Weather was average for the season.

Estimated takings for the week ending April 7:

**"Love Affair" (RKO)**
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $6,800. (Average, $4,000)
**"The Little Princess" (20th-Fox)**
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $10,700. (Average, $12,000)
**"You Can't Cheat an Honest Man" (Univ.)**
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Tony Martin and vaudeville. Gross: $19,000. (Average, $15,000)
**"Sergeant Madden" (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $9,000. (Average, $13,000)
**"Huckleberry Finn" (M-G-M)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $4,100. (Average, $5,000)
**"If War Comes Tomorrow" (Moskowfilms)**
CITY—(485) (35c-42c) 7 days. Gross: $900. (Average, $1,200)

## *'Wife' at $4,900 In Oklahoma City*

OKLAHOMA CITY, April 12.—"Wife, Husband and Friend" was the best grosser here in a week of generally poor business, with $4,900 at the Criterion. The weather was rainy and cold.

Estimated takings for the week ending April 6:

**"Wife, Husband and Friend" (20th-Fox)**
CRITERION — (1,500) (25c-35c-40c) 7 days. Gross: $4,900. (Average, $5,500)
**"Off the Record" (W. B.)**
**"Strange Faces" (Univ.)**
LIBERTY — (1,200) (20c-25c-30c) 4 days. Gross: $1,400. (Average, $1,800)
**"Boy Trouble" (Para.)**
**"Mr. Moto in Danger Island" (20th-Fox)**
LIBERTY—(1,200) (20c-25c-40c) 3 days. Gross: $700. (Average, $700)
**"Let Freedom Ring" (M-G-M)**
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,600. (Average, $4,500)
**"Yes, My Darling Daughter" (W.B.)**
PLAZA—(750) (25c-35c-40c) 7 days, 2nd week. Gross: $1,300. (Average, $1,700)
**"Billy the Kid Returns" (Rep.)**
**"Little Pal" (Mono.)**
STATE—(1,200) (20c-25c) 7 days. Gross: $2,300. (Average, $2,500)
**"Dramatic School" (M-G-M)**
TOWER—(1,000) (25c-35c-40c) 3 days. Gross: $600.
**"Fast and Loose (M-G-M)**
TOWER—(1,000) (25c-35c-40c) 4 days. Gross: $900. (Average, $2,500)

## 'Crooked Mile' in Omaha Hits $9,300

OMAHA, April 12.—Omaha houses felt the affect of Holy Week but business was ahead of the same week last year in spite of chilly and damp weather. At the Orpheum "Tail Spin" and "Ride a Crooked Mile" took $9,300. "I'm From Missouri" and "Persons in Hiding" drew $7,000 at the Omaha.

Estimated takings for the week ending April 5-6:

**"Blackwell's Island" (W.B.)**
**"Beauty for the Asking" (RKO)**
BRANDEIS—(1,800) (25c-35c-40c) 7 days. Gross: $4,100. (Average, $4,000.)
**"I'm from Missouri" (Para.)**
**"Persons in Hiding" (Para.)**
OMAHA—(2,200) (25c-40) 7 days. Gross: $7,000. (Average, $6,000.)
**"Tail Spin" (20th-Fox)**
**"Ride a Crooked Mile" (Para.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $9,300. (Average, $7,600.)

## *'Ice Follies' $11,000 Cincinnati Leader*

CINCINNATI, April 12.—"Ice Follies of 1939" drew an $11,000 gross at the RKO Albee in an otherwise slow week.

"Wife, Husband and Friend" got $9,200 at the RKO Palace, and "Love Affair" did nicely with $2,750 on its third downtown stanza at the RKO Grand.

Estimated takings for the week ending April 6-8:

**"Ice Follies of 1939" (M-G-M)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,000. (Average, $12,000)
**"Wife, Husband and Friend" (20th-Fox)**
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,200. (Average, $10,000)
**"The Great Man Votes" (RKO)**
RKO SHUBERT—(2,150) (35c-42c) 7 days. Gross: $5,000. (Average, $10,000)
**"3 Smart Girls Grow Up" (Univ.)**
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $4,500. (Average, $6,500)
**"Star of Midnight" (RKO)**
**"Lost Patrol" (RKO)**
RKO LYRIC—(1,400) (35c-42c) 7 days. Gross: $4,400. (Average, $6,500)
**"Love Affair" (RKO)**
RKO GRAND—(1,200) (25c-42c) 7 days. 3rd week. Gross: $2,750. (Average, $2,750)
**"Torchy Blane in Chinatown" (W. B.)**
**"Whispering Enemies" (Col.)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,400. (Average, $1,500)
**"Trouble in Sundown" (RKO)**
**"Mystery Plane" (Mono.)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $900. (Average, $900)
**"Spirit of Culver" (Univ.)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $3,400. (Average, $6,000)

## *'Madden' at $8,700 Is Buffalo's Leader*

BUFFALO, April 12. — "Sergeant Madden" teamed with "Pardon Our Nerve" at the Great Lakes cleared $8,700.

Every other bill ran behind average as the weather remained damp and cheeerless, and Holy Week hurt business.

Estimated takings for the week ending April 8:

**"The Little Princess" (20th-Fox)**
BUFFALO—(3,000) (30c-55c ) 7 days. Gross: $10,200. (Average, $12,000)
**"Sergeant Madden" (M-G-M)**
**"Pardon Our Nerve" (20th-Fox)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $8,700. (Average, $7,500)
**"The Adventures of Jane Arden" (W.B.)**
**"The Great Man Votes" (RKO)**
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $3,200. (Average, $6,800)
**"Boy Slaves" (RKO)**
**"Road Demon" (20th-Fox)**
CENTURY—(3,000) (25c) 5 days. Gross: $5,700. (Average, 7 days, $6,000)
**"It Happened One Night" (Col.)**
**"Juvenile Court" (Col.)**
LAFAYETTE—(3,300) (25c) 7 days. Gross: $6,000. (Average, $6,300)

## 'Smart Girls' Leads Seattle With $8,300

SEATTLE, April 12.—"Three Smart Girls Grow Up" and "Society Smugglers" at the Paramount grossed [illegible]300. "Love Affair" and "The G[illegible] Man Votes" was strong with $8,150 in the second week at the Fifth Avenue. The weather was fair and warm.

Estimated takings for the week ending April 7:

**"Midnight" (Para.)**
**"Illegal Traffic" (Para.)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 2nd week. Gross: $3,700. (Average, $4,000)
**"Love Affair" (RKO)**
**"The Great Man Votes" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days, 2nd week. Gross: $8,150. (Average, $7,000)
**"Pygmalion" (M-G-M)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 5th week. Gross: $3,300. (Average, $4,000)
**"I'm from Missouri" (Para.)**
**"Pacific Liner" (RKO)**
ORPHEUM—(2,450) (30c-40c) 7 days. Gross: $5,100. (Average, $6,000)
**"North of the Yukon" (Repub.)**
**"My Wife's Relatives" (Repub.)**
PALOMAR—(2,500) (15c-25c-35c-40c) 7 days. Vaudeville. Gross: $4,750, (Average, $5,000)
**"Three Smart Girls Grow Up" (Univ.)**
**"Society Smugglers" (Univ.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $8,300. (Average, $6.000)

## 'Never Say Die' on Kansas City Dual High with $6,800

KANSAS CITY, April 12.—The lull before Easter was hard on grosses, but "Never Say Die" and "The Eagle and the Hawk" at the Newman, took $6,800. Big money went to "Fast and Loose" and "Four Girls in White" at Loew's Midland, $9,100.

Estimated takings for the week ending April 4-6:

**"Never Say Die" (Para.)**
**"Eagle and Hawk" (Para.)**
NEWMAN—(1,900) (25c-40c) 6 days. Gross: $6,800. (Average, 6 days, $6,200)
**"Pygmalion" (M-G-M)**
ESQUIRE—(800) (25c-40c) 6 days, 4th week. Gross: $1,200. (Average, 6 days, $2,400)
**"The Hound of the Baskervilles" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 6 days. Gross: $2,300. (Average, 6 days, $3.200)
**"Fast and Loose" (M-G-M)**
**"Four Girls in White" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $9,100. (Average, $11,500)
**"Blackwell's Island" (W. B.)**
**"Fisherman's Wharf" (RKO)**
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $3,100. (Average, $5,000)
**"The Hound of the Baskervilles" (20th-Fox)**
**"The Family Next Door" (Univ.)**
FOX TOWER—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $5,000)

## *Theatres Tune in On Radio Program*

**San Francisco, April 12.—Eight theatres in northern California are now carrying the "Black Chapel" mystery broadcast originating on KSFD, each Friday night at 11:45 P. M. All the houses carry trailers on the screen during the week, and tune in the program Friday nights.**

# Easter Business Is Booming on B'way

Easter Week business along Broadway continues at a strong pace and ahead of last year in most houses. "The Story of Vernon and Irene Castle" is proving itself a top draw. In its second week at the Music Hall, the film grossed an estimated $110,000. "[illegible]dnight" at the Paramount finished its first week with an estimated $54,000 and did an estimated $7,500 yesterday.

"The Hardys Ride High" will go into the Capitol today. "Broadway Serenade" did an estimated $22,000 in its week there. "Wuthering Heights" will also start today with a 7:30 P.M. premiere at the Rivoli. "Juarez" will start on a two-a-day policy at the Hollywood April 25.

Filmarte is scheduled to reopen April 24 with "The Three Waltzes" (Vedis). French version of "Snow White and the Seven Dwarfs" is being held over at the Waldorf.

## *Settlement Seen in Kibre-IATSE Row*

HOLLYWOOD, April 12.—Early settlement was seen today in the case of Jeff Kibre's charges before the N. L. R. B. against I. A. T. S. E. following a conference last night between the Local 37 minority leader and representatives of International and producers.

After the session, held in the N. L. R. B. offices, Regional Director Towne Nylander said that there had been a tentative agreement on terms and that a meeting had been set for April 19 at which final agreement was expected.

## *SWG Asks Authors' Help on Labor Move*

HOLLYWOOD, April 12. — Screen Writers' Guild today asked the cooperation of the Authors' League of America in working out a labor organization connection. The committee appointed to work toward this end, headed by Lillian Hellman, will suspend activities pending word from the league.

The S. W. G. negotiating committee, headed by Charles Brackett, president, will meet tomorrow with producer representatives for a conference aiming at a solution of the contract deadlock.

## *Carnavos Trial May 10*

Trial of Christos Carnavos, manager of the Momart in Brooklyn, on charges of operating a lottery, has been set for May 10 in Special Sessions. Carnavos pleaded not guilty through his counsel, Harry G. Kosch. The case involves chance games.

## *Move in B. & K. Suit*

CHICAGO, April 12.—Attorneys for Gary theatres in the anti-trust suit against Balaban & Katz announced today they would ask depositions of Walter Immerman of B. & K., and Alex Halperin, Warners.

## *Ampa Meets Today*

Inside information on the Nazi spy ring in America will be given by Leon G. Turrou, former G-Man, at the Ampa luncheon at the Astor today. Joe Penner also is on the program.

## *'Highlands' Will Open Here Tonight*

**"My Heart's In the Highlands," by William Saroyan, opens tonight for five performances at the Guild. If properly received, arrangements will probably be made for a regular run. The Group Theatre is the producer and Robert Lewis, the director. Included in the cast are Sidney Lumet, Philip Loeb, Art Smith, William Hansen, Hester Sondergaard and others.**

## *I.T.O.A. Wants All Disputes Abitrated*

*(Continued from page 1)*

negotiations with the distributors to achieve revisions and clarifications.

Among changes sought are that the panel of neutral arbitrators shall be selected by affiliated distributors and independent exhibitors, with affiliated exhibitors excluded on the ground their interests are represented by the distributors; that distributors' liability not be limited to liquidated damages as fixed by the license contract; that the code include a provision prohibiting re-allocating films from lower to higher classifications.

The I. T. O. A. makes a restatement of these matters a condition to its participation in the code. It feels that some of the pact's language is inadequate.

## *Iowa-Nebraska Unit To Meet on April 17*

DES MOINES, April 12.—Allied-Independent Theatre Owners of Iowa and Nebraska plan to hold their annual spring convention at the Kirkwood Hotel here April 17-18, according to Leo F. Wolcott, president.

The meeting will open with a luncheon to which exchange and circuit people have been invited. Action will be taken on the trade practice draft, Neely bill and other matters of importance. One vacancy on the board of directors is to be filled.

## *War Dept. Planning To Adapt Television*

*(Continued from page 1)*

would receive great impetus through military use. Army officers have inspected television facilities of several companies. RCA-NBC for some time has kept the War Department informed of all progress.

Television officials feel that because of the public interest involved, the Government should subsidize experimental work.

The British Army and Navy is understood to have formulated plans to adapt television to wartime use.

## *Seeks to Halt 'Juarez'*

HOLLYWOOD, April 12.—Miguel C. Torres, Spanish writer-producer, has filed an amended complaint in his $1,000,000 damage suit against Warners alleging that "Juarez" was partly lifted from "Maximilian and Carlotta" which he produced in 1933 in Spanish and last year in English. He sought a restraint order on release of "Juarez."

# Neely Assailed for Quiz of Bill's Foes

*(Continued from page 1)*

the assertions of its proponents that motion pictures induced crime and citing as support statements of court officials on whom proponents had relied, to the effect that films were not adverse influence.

Dr. Lesourd also tore into the Payne studies, citing other film researchers who held the Payne report to be full of misrepresentations and "fallacious assumptions."

"There is no adequate truth that motion pictures are at present seriously harmful to people, so why pass a law to cure a condition that does not exist?" he asked. "Eighty-eight million persons go to motion pictures every week, but the people of this country are not going to the dogs."

Col. Jason S. Joy, of the story department of 20th Century-Fox, took the subcommittee through the lengthy procedure followed in preparing for "Alexander Graham Bell" to demonstrate the impossibility of conducting the production industry's present methods under the Neely bill.

### Sees Production Halted

"It is absolutely impossible for my company to produce quality pictures under Section Four of the Neely bill," he declared. "If Section Three were changed so that it became possible to sell pictures one at a time, I think the bill will have defeated its very purpose, because the studios, in addition to losing opportunities to employ people, would of necessity have to degenerate into what we call quickie production." Yet, he added, Section Three must be changed or companies will be forced to lower their standards of production.

Col. Joy expressed doubt whether any of the proponents were familiar with details of production, and paid high tribute to "seven or eight very earnest men in Hollywood" who are administering the production code and doing a "magnificent job."

Denying that only the "best" pictures are sent abroad, the witness testified that all but 11 of 104 produced by 20th Century-Fox in the past two years have been dubbed or superimposed for foreign showing.

"The moment that war becomes even a possibility as far as this country is concerned, our industry is going to be asked to change our program almost overnight, and it would not be possible at all for us to indicate this summer what we may have in pictures if such a thing came about," he warned.

### Pettijohn Submits List

The "box-office" is the only thought of exhibitors in selecting pictures, it was declared by C. C. Pettijohn in submitting a list of 15 films which received less than 20 cancellations and another list of the same number of pictures which got from 1,500 to 6,000 refusals. The former included gangster and other pictures designated unsatisfactory by reform groups, while the latter included Pulitzer Prize plays, great stars and world renowned artists.

"I take it that regardless of what system you have, the success of a picture depends upon box office receipts indicating what the public wants," Chairman Smith commented.

"I gave you a list to show that some pictures that have been criticized at this hearing have had very few cancellations," Pettijohn said. "My purpose is to show what we are up against in making classics. If they were not included in the wholesale groups we probably would not sell them to anybody."

### Cites British Debate

Pettijohn also submitted a transcript of a debate in the English Parliament last month on motion pictures, asserting that the only interest the English had in the subject was in expanding their own industry. Even with all their restrictions, American distributors still get 30 per cent of their gross from the foreign market, he said.

"Don't let anyone tell you that these English gentlemen are interested in anything but trade and commerce in motion pictures," he added.

## *Group Theatre Will Produce in Astoria*

Contracts are expected to be closed within the next few days in a deal between Eastern Service Studios and the Group Theatre, under which the latter will produce three films in the next two years at the Astoria plant.

First picture is to be an original screen story by Clifford Odets or Irwin Shaw, both of whom have written several of the Group's stage successes. Casts will be drawn from the Group's company with the possibility that other legitimate stage stars may be used. No arrangements have been made yet for a director, but it is expected that he will be from Hollywood. Arthur Krim, of Phillips & Nizer, is drawing the contracts.

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# FCC Survey Of Television Is Begun Here

Television Committee of the Federal Communications Commission arrived here yesterday to explore the field of television and to secure information concerning the proposed television standards recently recommended by the Radio Manufacturers Association.

T. A. M. Craven, chairman of the television committee stated yesterday that the study was a cooperative endeavor between the government and private television enterprises.

### Committee's Itinerary

Among the organizations whose television plants are in the committee's itinerary are RCA-NBC, CBS, DuMont Laboratories, Bell Laboratories, National Television Corp., International Television Corp., General Electric. While here they will also see Major Edward H. Armstrong, inventor in radio and television. They have already inspected the Philco television facilities. Today, some members of the committee will go to Schenectady to witness a demonstration of television of a system of transmission on ultra-high frequencies.

"We are here to secure information concerning the proposed standards suggested by the Radio Manfacturers Association and to acquaint the people who are developing television with some of the problems facing the commission in connection with the allocation of television channels," Craven said.

### Report Due in Month

He said the committee expected to report to the F. C. C. in about a month and present information to aid it in handling applications for stations. He said the most important phases of television facing the committee are the manufacture and development of apparatus and the operation of regular television stations. He would not predict when television sets would come into widespread use, but said that developments in the art have been "marvelous."

The committee personnel comprises, in addition to Craven, the following: Norman Chase, Thad H. Brown, Andrew D. Ring, George B. Porter and William H. Bauer.

## *Will Dedicate RCA Fair Exhibit April 20*

RCA exhibit at the World's Fair will be dedicated April 20 with addresses by David Sarnoff, president of RCA; Lenox R. Lohr, president of NBC and Grover Whalen. Theme of the talks will be the beginning of television service.

An unusual feature of the event will be the coverage of the ceremonies by newspaper reporters who will view the ceremonies via television in receivers in Radio City, approximately eight miles from the Fair grounds.

## *Edwin Hill in New Series*

Edwin C. Hill will start a news commentary series for the American Oil Co. over CBS May 1. Program will be heard Monday through Friday from 6:05 to 6:15 P. M. over 38 stations, throughout the year.

# ▸ *Radio Personals* ◂

FRANK BRAUCHER, WOR sales executive, is ill at home. . . . Joe Bolton, formerly of WHN here, has joined KNX, Hollywood, where he is to conduct baseball broadcasts. . . . Henry Busse will be on the "Show of the Week" Sunday and then to the Paramount, opening April 26. . . . Ben Pollet, account executive for the Compton agency, to the south for a week. . . . Bill Maillenfert, time buyer at Compton, has just returned from a honeymoon. . . . Duke Ellington's band will be managed by the William Morris agency upon his return from Europe.

## CBS 30-Day Gross Totals $6,313,829

Total gross of new and renewal business signed by CBS within the past 30 days totaled $6,313,829, a record for a spring period. Fourteen new contracts, including coast-to-coast, regional and one-time broadcasts, and five renewals provide the total. New contracts total $4,058,433, and renewals $2,255,396.

The 14 new accounts comprise Nehigh Bottling Co., Griffin All-White, Sealtest Laboratories, Campbell Soup Co., Bowey Inc., the Kentucky Derby broadcast to be sponsored by 20th Century Fox, Tulip Festival broadcast sponsored by Holland Furnace Co., both one-time broadcasts; three regional network contracts for Brown & Williamson Tobacco Co., Knox Gelatine Co. and Staynor Corp., and programs of the Pure Oil and American Oil companies, and Hormel Products.

The five renewals are Lucky Strike, Continental Baking, Lambert & Co., Household Finance, and General Foods Corp.

## *FCC Calendar*

WASHINGTON, April 12.—Increases in power have been asked of the Federal Communications Commission by three broadcasting stations.

Applications were received from WNEW, New York, for an increase of night power from 1,000 to 5,000 watts; KWOS, Jefferson City, Mo., for an increase of night power from 100 to 250 watts, and KRE, Berkeley, Cal., for an increase of night power from 100 to 250 watts.

The commission will hold hearings April 18 on the applications of WJBW, New Orleans, for extension of time from sharing to unlimited, and the Spartanburg Advertising Co. for a 1,370-kilocycle station at Spartanburg, S. C., with 100 watts power night, 250 watts day.

Hearings have been ordered, on dates to be set later, on the applications of WSUI, Iowa City, Ia., for an increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; KRLH, Midland, Tex., for increase of day power from 100 to 250 watts, and KOAC, Corvallis, Ore., for increase of power from 1,000 to 5,000 watts.

# Mexico Financing Problem Clearing Out Opportunists

MEXICO CITY, April 12.—Financing problem confronting the Mexican producing industry and which has obliged some makers to "pawn" their pictures, principally in South America where Mexican films are enjoying popularity, before they are completed, is seen as having beneficial results.

For one thing, observers say, the present situation will prune the industry of those who get together $400 or $500, start a picture and depend upon wholesale borrowing to finish the job. The financing situation is also seen as inducing more Mexican producers to hook up with American producers, as some have done with Columbia and RKO. This will also benefit the Americans, for they will have the opportunity to make first class pictures in Spanish at far less cost than is possible in the United States, even though average costs in Mexico have jumped from $40,000 to $50,000 per picture.

Mexican producers who work alone are fearful of spending much money for a picture. First of all, backers of pictures want as much as 60 per cent of the gross. Much of the increased production cost is blamed on studio workers' and general industry employes' unions. Producers have appealed to the unions to be more reasonable, but without success.

## *M-G-M Will Make 18 Cartoons in Year*

HOLLYWOOD, April 12.—Fred Quimby, M-G-M executive in charge of shorts, today announced a new cartoon policy for the season in which 18 cartoons, all in color, would be made for release, one every three weeks. Quimby at the same time said "The Captain and the Kids," newspaper comic strip which formed the basis for the 1938-39 cartoons made by the studio, would be abandoned. In charge of cartoon production will be Rudolph Ising and Hugh Harman, each working independently. The first cartoon to be released under the new setup will be "Little Goldfish," produced by Ising on April 15.

## *Moray on Coast*

HOLLYWOOD, April 12.—Norman Moray, Vitaphone sales manager, arrived today from San Francisco for conferences with Harry and Jack Warner and Hal B. Wallis on the company's historical featurette and short subject program for the new year.

## *Hunter Due at Studios*

HOLLYWOOD, April 12.—Henry Hunter, manager of Paramount's distribution organization in Australia, arrives here Monday. Following parleys here with executives he will visit the New York office.

## *Fair Cuts Coast Grosses*

SAN FRANCISCO, April 12.—Local exhibitors report that the Fair has cut down theatre attendance one-third. In some quarters the cut-in is reported as high as 40 per cent.

# Republic Concludes Eastern Meet Today

Republic's Eastern and Central regional sales meeting which started yesterday will wind up today after further discussion of 1939-'40 product and sales plans. Tonight the delegates will attend a beefsteak dinner at the New York Athletic Club.

Harry LaVine, central distric[illegible]les manager, presided at yesterday'[illegible]sions, and Jack Bellman, eastern sales head, will be chairman today. The meeting is at the Park Central.

James R. Grainger, president and sales chief, discussed the new program for two hours yesterday. Other speakers were Walter W. Vincent, H. J. Yates, Al Adams, Herman Gluckman, Herman Rifkin, Nat Lefton, and Sam Flax. Among today's speakers will be Paul Nathanson and A. W. Perry of Canada, James Alexander, Pittsburgh franchise holder, and Grainger.

## *Pa. Bill May Revive Sunday Blue Laws*

HARRISBURG, PA., April 12.—Restoration of the provisions of ancient blue laws banning all forms of Sunday amusements is seen if the bill introduced in the House by Assemblyman Gates becomes law.

The measure would repeat the act of July 2, 1935, which permits showing of motion pictures on Sundays only in communities which vote in favor of them. Lawyers say that the bill would automatically bring back the old ban on all Sunday amusements.

Another measure, introduced by Assemblyman Johnston, would amend the act of 1935 to make it unlawful for children under 15 to be admitted to motion picture theatrés on Sunday.

## *Damrosch Debut Set*

HOLLYWOOD, April 12.—Walter Damrosch will report to the Paramount studio late in May for his appearance in the Bing Crosby picture, "The Star Maker." He will lead a symphony orchestra to accompany Linda Ware, 13-year-old singing discovery.

## *Ann Sheridan to Wanger*

HOLLYWOOD, April 12. — Walter Wanger has borrowed Ann Sheridan from Warners for the feminine lead in "Winter Carnival." Richard Carlson probably will play opposite and Charles F. Reisner will direct.

## *Reese Quits 20th-Fox*

OMAHA, April 12.—Carl Reese has resigned from the 20th Century-Fox sales staff here and joined Republic at Des Moines. Ralph Olson, formerly with Universal, has joined the RKO sales staff.

## *Ellen B. Larsen Dies*

DECORAH, IA., April 12.—Ellen B. Larsen, who in partnership with her sister, Sarah, opened the Lyric here in 1914 and has assisted in its operation ever since, died here of a heart attack.

## *Mayo Joins Paramount*

HOLLYWOOD, April 12.—Bob Mayo, former casting director at Columbia, has been named a unit casting director for Paramount.

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Alert,
Intelligent
and
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to the Motion
Picture
Industry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

Vol. 45. NO. 72 NEW YORK, FRIDAY, APRIL 14, 1939 TEN CENTS

# Industry Facing General Strike by The I.A.T.S.E.

## Neely Hearing May Be Basis Of Film Probe

### Economic Committee Has Observer at Sessions

By BERTRAM F. LINZ

WASHINGTON, April 13.—Testimony ven at current hearings on Neely ock booking bill may the basis for investigation of the motion picture dustry by the Temporary National conomic Committee studying monopy.

T. N. E. C. has assigned an obrver to the hearings, it was disclosed, nd has already brought up to date ctually Daniel Bertrand's report on e film industry. Information in files the Department of Justice also has en analyzed and representatives of e committee have had informal disssions with officials of major comnies and independent exhibitors.

The situation in motion picture instry has been under study for some me. It is understood that the staff the monopoly committee believes it as developed a "cure" for conditions the industry. A long list of unsirable practices has been developed, hich are to be studied and, it is nderstood, both producer distributors nd exhibitors will come in for cenre.

It is not expected that an inquiry ill be undertaken in the near future ecause of a desire to see what tranires in the New York suit.

## Wilbur Puts Code Before Neely Bill

**Washington, April 13.—Proponents of the Neely Bill today lost their strongest ace when Dr. Ray Lyman Wilbur, president of the Motion Picture Research Council, wrote Senator E. D. Smith, head of the subcommittee hearing arguments on the bill, suggesting the film industry should be given opportunity to clean its own house through its proposed trade practice agreement.**

**"There are indications that legislation may be the only answer," Wilbur wrote, "but if a workable plan to meet the situation has evolved from the industry and will be put into prompt and general effect, it should be given a fair trial."**

## Law Can't End Block Selling —Kuykendall

WASHINGTON, April 13.—Declaring the Neely bill will achieve none of the purposes for which it is intended, Ed Kuykendall, M.P.T.O.A. president, today told the Senate Interstate Commerce subcommittee the threat of legislation has been a big help in the effort of exhibitors to obtain revision of trade practices.

Kuykendall said his group is "utterly opposed to compulsory block booking and blind selling," but is convinced the only practical solution is through selective contracts.

The Neely bill will not even eliminate block selling in competitive positions he contended, and its provisions are so written as to endanger exhibitors as well as producers and distributors under its prohibition against transportation of films violating the proposed law, pointing out that exhibitors arrange and pay for transportation.

After long study, he said, he is convinced the bill is "an amazing example of misleading, deceptive and confused legislation, prepared and sponsored by people who are inexperienced in our business." The aim of organization proponents, he charged, is to obtain "great opportunity for private censorship" in which they will take a leading part,

(*Continued on page* 8)

## Universal Will Open Sales Convention in Cincinnati Saturday

CINCINNATI, April 13.—Nate J. Blumberg, Universal president, and William A. Scully, vice-president in charge of distribution, head Universal's eastern and southern sales forces which will convene here Saturday, Sunday and Monday for the first of the company's three regional sales metings. The group will number about 90 when Scully opens the meeting in the Netherlands-Plaza Hotel.

Louis Pollock, Andrew J. Sherack are here arranging advance details of the Universal convention. The conventioneers due will be met at the station by a local delegation with a band and will be escorted to the Netherland Plaza headquarters. There will be screening at the RKO Grand theatre Sunday morning of Gilbert & Sullivan's "Mikado," also a screening of the special screen test of Universal's new child star Gloria Jean film which is being rushed here by Joe Pasternak.

Cincinnati was selected for the first meeting as a tribute to Ike Libson, veteran local theatre operator, who was for many years an associate of Blumberg's when the latter headed RKO theatre operations.

Scully will announce the company's new season production schedule on Sunday. As indicated earlier, the list will include 44 features, 14 "outdoor" pictures, four serials, a "combination" reissue, 70 shorts and 104 issues of

(*Continued on page* 8)

### *Refusal to Grant Basic Contract Brings Threat Of Walkout*

HOLLYWOOD, April 13. — George Browne, president of I.A.T.S.E., tonight sent out telegrams to all affiliated locals in the United States asking them to stand by for a general strike call.

The telegrams were sent following a conference of studio locals and producers' representatives at which the union demands for a basic contract were turned down. The telegram follows:

"On receipt of further telegraphic advices you are instructed to immediately withdraw from service all members in all theatres operated or controlled by any major circuit. This is occasioned by refusal of major producing companies to agree to contract demand made by West Coast studio locals. Stand by."

Among those attending the conference were Thomas Ryan and David Lory of Laboratory Local 683, and Lew Blix of Technicians Local 37.

Local 37 has been the storm center of a dispute that has threatened to disrupt the organization of the studio unions. Its break from the parent body brought a threat of Federal inquiry into alleged Communistic activities in the coast unions.

What effect the strike order, if it comes, will have on the situation in the Hollywood unions, cannot be surmised but it is apparent that all locals will answer if the call for a general walkout goes out.

## *Red Challenge Ignored, Wanger Quits 'Democracy'*

With the statement that Films for Democracy has "not met the challenge to make a public disavowal of possible Communist sympathies or compromise," Walter Wanger has directed a letter to that organization asking that his name no longer be used in connection with its activities.

Mr. Wanger's letter was made public in a feature column conducted by Morton Thompson in the *Hollywood Citizen-News* as "directed to a well-known organization which solicited his sponsorship." In New York, Samuel J. Rodman, executive secretary of Films for Democracy, expressed surprise that the letter had been published. He said that it had been answered.

"The challenge," mentioned by Mr. Wanger, obviously refers to a demand published successively in the issues of *Motion Picture Herald* of December

(*Continued on page* 8)

## *Korda Speeding Up Denham Production*

LONDON, April 13.—Denham is alive with activity. Alexander Korda, now that he has transferred studio operating responsibility to others, is moving swiftly with extensive production plans. Already he has finished "Four Feathers," and "Thief of Bagdad" will go before the cameras May 1.

Advance reports about "Four Feathers" is that it is immeasurably bigger than "Drums," and "Thief of Bagdad," it is understood, will be entirely different from the Douglas Fairbanks film of the same name. A completely new construction has been prepared by Korda, which is startling in conception. Korda will make four

(*Continued on page* 8)

## Al Steffes Will Quit As Exhibitor Leader

**W. A. (Al) Steffes, long a leader in Allied States, plans to retire from organization work after the Allied convention in Minneapolis, June 13-15. Steffes has been in New York with Joe Pastor of Chicago on foreign film deals and will leave tonight.**

**"The younger men in the industry should take hold of organization leadership," Steffes said. He will remain an Allied member, however. As President of Northwest Allied, he is arranging the national convention. Northwest Allied will meet a day earlier.**

## Muller Quizzed on U. A. Contract Plan

Examination of Harry J. Muller, treasurer and controller of United Artists Corp., by Robert L. Wright, special assistant attorney-general, continued yesterday in Federal Court. Muller was questioned on long term contracts of U. A. with producers, their names and connections, and the names of New York representatives.

Wright also sought information concerning types of contracts made by U. A. with exhibitors. The Government indicated it probably would subpoena Harry Gold, Jack Schlaifer and Paul Lazarus, U. A. executives. Examination of Muller and Edward C. Raftery, secretary, was adjourned to April 20. The Government expects to file its bill of particulars not later than May 1.

## To Review "Sunset Case"

Screening of the Grand National's "Sunset Murder Case" before a committee of the N. Y. Board of Regents is scheduled to take place at the State Office Building Monday. The film previously was approved after deletions. Later, however, G. N. voluntarily surrendered the seal, restored the cuts, and requested a new seal. Irwin Esmond, chief censor, refused approval and the company appealed.

## Settle Bank Night Suit

Litigation between Edward Goldstein, of Rae-Ed Amusement Enterprises, and Kallet Circuit of upstate New York, which involved payment for use of Bank Night, has been settled, according to Goldstein.

## New United Flight Set

United Air Lines announced that, effective April 4, a third daily non-stop New York to Chicago flight will be inaugurated, leaving New York at 3.15 P. M.

## Gets Valentino Rights

Nu Art Films, Inc., have acquired exclusive 16mm. rights in the United States and Canada for "Son of the Sheik," Rudolph Valentino revival.

## Pep Club Dance April 28

Paramount Pep Club will hold its annual dinner and dance at the Hotel Astor on April 28.

# Purely Personal

P. A. McGUIRE, advertising manager of International Projector Corp., this week observes 20 years of continuous service with the company and its predecessor.

•

ELLEN DREW arrives from Hollywood today. She sails for England tomorrow on the *Aquitania* to co-star with RAY MILLAND in Paramount's "French Without Tears." MILLAND, who arrived yesterday, also is sailing.

•

FRANKLYN WARNER, head of Fine Arts Pictures, leaves New York for the coast by train on Sunday after conferences with EARLE W. HAMMONS on a new distribution deal with Grand National.

•

LEONARD SCHNEIDER has joined Consolidated Film Industries as assistant general sales manager, not as assistant general manager.

•

BILL SCHNEIDER, art director for Donahue & Coe, sails tomorrow on the *Zaandam* for a European vacation. He will be gone a month.

•

FLORENCE MARSTON, eastern representative of the Screen Actors' Guild, was home ill with a cold yesterday.

•

JOSEPH M. SCHENCK, 20th Century-Fox chairman of the board, is due from the coast next week.

WALTER BRANSON, captain of the RKO GEORGE SCHAEFER sales driver, and HARRY MICHALSON, short subject sales manager, will return today from a tour of exchanges.

•

ADOLPH ZUKOR will sail from England tomorrow on the *Queen Mary,* arriving in New York next Thursday. He has been abroad about three months.

•

JACK PARTINGTON of Fanchon & Marco is in St. Louis, where he produced the annual police circus, which opens today for a week.

•

H. M. RICHEY, director of exhibitor relations for RKO, leaves Sunday for Columbus to speak in a symposium on film censorship.

•

WILL FYFFE, English actor, arrives tonight on the *Aquitania.* He will have a part in Paramount's "Ruler of the Seas."

•

ANTHONY VEILLER, playwright and screen writer, is back in Hollywood after a trip through the east.

•

CHARLES RUGGLES, who has been in New York on vacation, will plane out for Hollywood tomorrow.

•

MARGARET LOCKWOOD has returned to Hollywood after a brief visit here.

## McCausland Honored By RKO Associates

Testimonial dinner tendered to A. H. McCausland, RKO trustee's representative was attended by about 70 of his RKO associates and friends. Ned E. Depinet, vice-president, presented to him a set of golf clubs. Among those present were: M. H. Aylesworth, Nate Blumberg, W. H. Clark, O. C. Doering, Frank Donovan, Leon Goldberg, Hal Horne, Malcolm Kingsberg, William Mallard, S. Barret McCormick, E. L. McEvoy, Fred Mayers, W. J. Merrill, Jack Pegler, H. M. Richey, A. E. Reoch, George Schaefer, Al Sindlinger, Cresson E. Smith, L. E. Thompson, Fred Ullman, Jr., J. H. Walters, G. E. Youngman.

## Republic to Set Up Publicity Bureaus

Republic will establish publicity headquarters in every exchange centre, according to H. J. Yates. This is a new departure for the company.

Yates spoke at length yesterday at the final session of the Eastern and Central regional sales meeting at the Park Central.

A number of leading exhibitors and circuit buyers were guests of Republic at a convention dinner last night. Among them were Spyros Skouras, Joseph Bernhard, W. A. Steffes, Joseph Pastor of Chicago; Gene Picker, Aubrey Schenck, W. T. Powers, J. J. Sullivan, Fred Meyers, Max Fellerman, William White, Louis Webber, George Lynch, Charles Moss, Max A. Cohen, Al Suchman, Walter W. Vincent, Archie Silverman, and Ed Reed of Providence, besides J. R. Grainger, sales chief.

# The Newsreel Parade

*Shots of the New York and San Francisco fairs continue to gain attention in the latest newsreels. The reels and their contents follow:*

MOVIETONE NEWS. No. 62—Air preparedness in Texas. Chief Justice Hughes celebrates birthday. Glass exhibit at New York fair. Premiere of "Alexander Graham Bell." Crown of the Andes arrives in New York. British navy and French army parade. England's King and Queen visit housing project. Mussolini speaks in Rome. New torpedo boat. Twin convention. Baby contest. Lew Lehr. New rowing machine. Kentucky Derby candidates.

NEWS OF THE DAY, No. 260—Foreign fleets leave on secret mission. Yankee Clipper lands. Glass house at New York fair. Hughes is 77. Tractor tank tested. Crown of Andes on display. Twins convene in New York. Child training. Midget auto races.

PARAMOUNT NEWS, No. 73—Clipper ends survey flight. Hughes celebrates birthday. Reconstruction in Spain. Crown of Andes arrives for fair. Joseph Beck visits England. New telephone service. New York fair preview. Baseball anniversary. Hall of Fame for baseball.

RKO PATHE NEWS, No. 77—Funeral of Senator Lewis. Hughes celebrates 77th birthday. Battle practice. Glass blowing. Army enlistment drive. Ex-diving champ tries comeback. White House prepares for English royal visit. Forest fire service.

UNIVERSAL NEWSREEL, No. 762—Danish royalty at Frisco fair. Roosevelt greets new secretary. Hughes is 77. Shipping activities. Army maneuvers. Babies exercised. Baseball. Tree planting. Chorus girls rehearse. Model of New York fair. Glass exhibition. Crown of Andes on display.

## Eastern Group Backs Frisco Reel Theatre

SAN FRANCISCO, April 13.—First newsreel theatre to be sponsored by an eastern financial group is scheduled to be constructed here during May. The house will be located on Market St., with a seating capacity of 400.

Officers of the operating organization are Herbert Scheftel, broker, president; Edward J. Reeves, grocery chain store head, vice-president; Angier Biddle Duke, treasurer; Alfred G. Burger, New York realtor, secretary; Abraham L. Bienstock, of the Max Steuer office, New York, counsel, and Martin J. Dinkelspiel, local counsel.

---

Reported plans of DeVry Corp., manufacturers of 16mm. equipment, to open "5 and 10" theatres for 16mm. newsreel exhibition nationally, are without much significance at this time, according to Hickman Price, head of the company's New York office. Operating company for such a project was incorporated in New York some time ago but no action has been taken in the direction of acquisition of theatre sites and none is likely before next fall at the earliest, he said.

## New Ampa Officers Plan Member Drive

Plans to stimulate interest in Ampa will be made by the new officers, headed by Paul Lazarus, Jr., who were elected yesterday at a luncheon meeting at the Astor.

Lazarus said that the employment bureau will be expanded under Monroe Greenthal and that a membership drive will be started. A suggestion was also made that the Ampa could carry on the work of an industry publicity bureau such as was suggested by Howard Dietz. Various ideas will be discussed at a future meeting.

Leon G. Turrou, former G-man who investigated the Nazi spy ring in America, spoke on Germany's widespread espionage and his work as technical adviser on Warners' "Confessions of a Nazi Spy." He said the film will reveal this country is vulnerable to foreign espionage.

MOTION PICTURE DAILY

*(Registered U. S. Patent Office)*

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# "MIDNIGHT"

**in**

***Oklahoma City***

**it's**

# "MIDNIGHT"

***Everywhere!***

**. . . and Paramount has
the figures to prove it** →

# From Oklahoma City to Broadway Paramount's "MIDNIGHT" knocks the daylight out of box-office records! . . .

**Criterion Thea., Oklahoma City**
"MIDNIGHT" smashes to **145%**

**Capitol Theatre, Davenport**
"MIDNIGHT" hits . . **125%**

**Allyn Theatre, Hartford, Conn.**
"MIDNIGHT" delivers **116%**

**Omaha Theatre, Omaha • Tivoli Theatre, Chattanooga • Orpheum Theatre, Phoenix**
"MIDNIGHT" does . . **112%**

**Malco Theatre, Memphis, Tenn.**
"MIDNIGHT" climbs to **130%**

**Paramount Theatre, New Haven**
"MIDNIGHT" does . . **123%**

**Michigan Theatre, Detroit, Mich.**
**Capitol Thea., Worcester, Mass.**
"MIDNIGHT" turns in **113%**

**United States Theatre, Paterson**
"MIDNIGHT" does . . **110%**

***and*, at the N. Y. Paramount, "MIDNIGHT" does the biggest week's business in 6 months**

. . . Just one of Paramount's big **15** for Spring and Summer

Claudette
**COLBERT**
Don
**AMECHE**
in
**"MIDNIGHT"**
A Paramount Picture
with **JOHN BARRYMORE**
**FRANCIS LEDERER**
**MARY ASTOR**
Directed by MITCHELL LEISEN • Screen Play by Charles Brackett and Billy Wilder Based on a story by Edwin Justus Mayer and Franz Schulz

Paramount Pictures

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| March 10 | Blondie Meets the Boss (G) (C)<br>*Arthur Lake* | Ice Follies of 1939 (G) (D)<br>*Crawford*<br>*Stewart*<br>*Lew Ayres* | Mystery Plane (G) (D)<br>*John Trent*<br>*Polly Ann Young* | The Beachcomber (A) (C)<br>*Laughton*<br>*Lanchester*<br>3863 | Rough Riders Round-Up (G) (O)<br>*Roy Rogers*<br>*Mary Hart* | The Saint Strikes Back (G) (D)<br>*George Sanders*<br>*Wendy Barrie* | Inside Story (G) (D)<br>*Michael Whalen*<br>*Jean Rogers* | Stagecoach (G) (O)<br>*Claire Trevor*<br>*John Wayne*<br>*Andy Devine* | Spirit of Culver (G) (D)<br>*Jackie Cooper*<br>*Bartholomew*<br>*Andy Devine* | The Oklahoma Kid (G) (D)<br>*Cagney*<br>*Bogart* |
| March 17 | Lone Star Pioneers<br>*Bill Elliott*<br>*Dorothy Gulliver* | Within the Law (G) (D)<br>*Ruth Hussey*<br>*Rita Johnson* | Trigger Smith (O)<br>*Jack Randall* | King of Chinatown (G) (D)<br>*Anna May Wong*<br>*Tamiroff*<br>3827 | My Wife's Relatives (G) (C)<br>*Lucille, James and Russell Gleason* | | The Little Princess (G)(D)<br>*Shirley Temple*<br>*Richard Greene*<br>*Anita Louise* | Prison Without Bars (A) (D)<br>*Corinne Luchaire*<br>*Edna Best*<br>*Barry Barnes* | Mystery of the White Room<br>*Bruce Cabot*<br>*Helen Mack* | Adventures of Jane Arden (G) (D)<br>*Rosella Towne*<br>*William Gargan* |
| March 24 | Whispering Enemies (G) (D)<br>*Jack Holt*<br>*Dolores Costello* | Sergeant Madden (G) (D)<br>*Wallace Beery* | | Midnight (G) (C)<br>*Colbert*<br>*Ameche*<br>3828 | | Trouble in Sundown (G) (O)<br>*O'Brien* | Everybody's Baby (A) (C)<br>*(Jones Family)* | | Three Smart Girls Grow Up (G) (C)<br>*Deanna Durbin*<br>*Winninger* | Blackwell's Island (G) (D)<br>*Garfield*<br>*Rosemary Lane* |
| March 31 | North of the Yukon<br>*Starrett*<br>Romance of Redwoods (O)<br>*Bickford* | Society Lawyer (A) (D)<br>*Pidgeon*<br>*Bruce*<br>*Carrillo* | | Sudden Money (G) (C)<br>*Ruggles*<br>Silver on the Sage<br>*William Boyd* | Mexicali Rose (O)<br>*Gene Autry* | Almost a Gentleman (G) (D)<br>*James Ellison* | Hound of the Baskervilles (G) (D)<br>*Greene*<br>*Rathbone* | | Family Next Door (G) (C)<br>*Hugh Herbert*<br>*Joy Hodges* | On Trial (G) (D)<br>*John Litel*<br>*Margaret Lindsay* |
| April 7 | The Lady and the Mob (G) (C)<br>*Fay Bainter*<br>*Ida Lupino* | Broadway Serenade<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | Undercover Agent<br>*Russell Gleason*<br>*Shirley Deane* | I'm From Missouri (G) (C)<br>*Bob Burns*<br>3830 | | Love Affair (G) (D)<br>*Boyer*<br>*Irene Dunne*<br>Flying Irishman (G) (D) | Mr. Moto in Danger Island (G) (D)<br>*Lorre*<br>*Hersholt* | | East Side of Heaven (G) (C)<br>*Bing Crosby*<br>*Joan Blondell* | Dodge City (G) (D)<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* |
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas<br>*Denis O'Keefe*<br>*Rice* | Streets of New York (G) (D)<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders (O)<br>*John Wayne* | They Made Her a Spy (G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell (G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights (A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | Code of the Streets<br>*Harry Carey*<br>*Frankie Thomas* | Women in the Wind (G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven (G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (G) (O)<br>*Roy Rogers* | Fixer Dugan<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | | Big Town Czar<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare<br>*Lionel Barrymore*<br>*Lew Ayres* | Riders of the Rio Grande<br>*Jack Randall* | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men<br>*Bickford*<br>Blue Montana Skies (O) | The Story of Vernon and Irene Castle<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid<br>*Baxter*<br>Climbing High<br>*Jessie Matthews* | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Three Texas Steers (O)<br>*Mesquitteers* | Racketeers of the Range (O)<br>*O'Brien* | Chasing Danger<br>*Foster*<br>*Lynn Bari* | Captain Fury<br>*Aherne*<br>*McLaglen* | For Love or Money<br>*June Lang*<br>*Robert Kent* | Confessions of a Nazi Spy<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | Man From Wyoming<br>*Tex Ritter*<br>Wolf Call<br>*Movita*<br>*John Carroll* | Some Like It Hot<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Man of Conquest (G) (D)<br>*Richard Dix*<br>*Gail Patrick* | Sorority House<br>*Anne Shirley*<br>*James Ellison* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |

VARIETY

# It's Holy Week but The Castles Socko at $100,000; 2

VARIETY

# 'Castles' 2d Hefty $110,000

**Radio City Music Hall** (5,980; 40-60-84-99-$1.65)—'Castles' (RKO) and stage show (2d run). A mighty gross-getter, and possibly $110,000 this week (2d) after first seven days through Holy Week of $100,000, dandy. Goes third round, to be fol-

1st WEEK
2nd WEEK
RADIO CITY
RADIO
Music Hall RADIO CITY

**BEHOLD!**

**RADIO CITY MUSIC HALL NO LONGER HIDDEN BY THE SIXTH AVENUE "L!"**

. . . Herewith first "full view" pictures of the world's largest theatre . . . streamlined . . . making more room for the crowds and crowds heading for Radio City to see the spring season's great new extended run attraction!

# Third Week

# OPENS AS BIG AS THE SECOND WEEK . . . AND SECOND WEEK BEATS THE FIRST!

THE STORY OF
**VERNON AND IRENE CASTLE**
STARRING
**FRED ASTAIRE**
**GINGER ROGERS**

CITY
VERNON & IRENE CASTLE

THESE PHOTOS TAKEN AT 1 P.M. ON THE 13th DAY OF THE RUN
[TUESDAY, APRIL 11]

*with*
**EDNA MAY OLIVER**
**WALTER BRENNAN**
LEW FIELDS • JANET BEECHER
• ETIENNE GIRARDOT •
PANDRO S. BERMAN in charge of Production
Directed by H. C. Potter Produced by George Haight
Screen Play by Richard Sherman
Adaptation by Oscar Hammerstein II and Dorothy Yost

RKO RADIO PICTURES

# His Red Challenge Ignored So Wanger Quits 'Democracy'

(Continued from page 1)

24, December 31, January 7 and January 14 under the heading "Information, Please!" reading as follows:

"In sequel to editorial expressions presented in *Motion Picture Herald* have come certain criticisms of what has been deemed the attitude of this publication toward 'Films for Democracy,' which some contend is a constructive, patriotic movement for the preservation of the traditional democracy of the United States of America.

### Asked to Declare Position

"*Motion Picture Herald* therefore considers it appropriate to ask 'Films for Democracy' clearly, officially and publicly to declare its position with respect to:

1—The political theories commonly known as Communism.
2—The political theories commonly known as Fascism.
3—The political theories characteristic of both Communism and Fascism, and commonly described as Totalitarianism, under which the state reserves to itself complete rights over the life, liberty and pursuits of the individual, denying to the individual those rights held under the traditional American system as a natural and inalienable heritage."

Martin Quigley, in an editorial under the title of "What Do You Mean—Democracy?" in *Motion Picture Herald* of January 14, discussed the announced program of Films for Democracy and its failure to answer his challenge remarking that his opposition was based on: "Indications that the carefully disguised purposes contemplated the surreptitious use of the entertainment screen for the promotion of foreign ideologies destructive of and not in support of American democracy."

"This failure to reply," continued Mr. Quigley, "together with various collaterals, is reasonably susceptible to the following interpretation:

" 'Films for Democracy' is unable to repudiate all foreign political philosophies, including Communism, which are a threat to American institutions, because its real purposes are sympathetic in whole or in part to Communism and because it is from that sector it expects its support.

"In the continued absence of any such categorical denial the industry and interested persons generally will remain in little doubt about where 'Films for Democracy' stands."

As published, Mr. Wanger remarked in his letter: "I joined the organization in the belief that it was dedicated to the democratic function which its name defines. . . . I have been disturbed by the failure of your organization to make clear its position with reference to Nazism, Fascism *AND* Communism. . . .

"I can see no excuse for intellectual straddling on this point. There can be no compromise between Fascism and Democracy. There can be no compromise between Communism and Democracy. There can, in short, be no compromise between Dictatorship and Democracy and I am on the side of Democracy. . . .

"For these reasons, and because your organization has not met the challenge to make a public disavowal of possible Communist sympathies or compromise, I must ask that my name no longer be used in connection with your organization. . . ."

# *Universal's Executives*

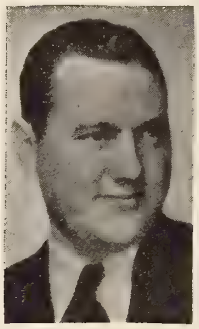
**NATE BLUMBERG**
President of Universal

**W. A. SCULLY**
V. P., Gen. Sales Manager

**MATTHEW FOX**
Vice-President of Universal

**CLIFF WORK**
Vice-President Studio Head

**F. J. McCARTHY**
Eastern Sales Manager



**W. J. HEINEMAN**
Western Sales Manager

**J. H. SEIDELMAN**
V. P., Foreign Sales Manager

**JOHN JOSEPH**
Ad and Publicity Director

**LOUIS POLLOCK**
Eastern Ad and Publicity Head

## *306 Pact Dated 1938*

New two-year contract between distributors and Local 306 covering home office and exchange projection room operators is dated Sept. 1, 1938, thus eliminating necessity of new negotiations next September. Retroactive feature of the contract granting wage increase as of Sept. 1, 1937, is complied with by identifying increase for the first year as a bonus, thus permitting the new agreement to begin in 1938 and expire Sept. 1, 1940.

## *Seek Sunday Films*

HUMBOLDT, TENN., April 13.—Board of Aldermen and the Mayor here have received a petition for the approval of Sunday films in the town.

## *Korda Speeding Up Denham Production*

(Continued from page 1)

pictures for delivery to U. A. this year.

He has sold "Lawrence of Arabia" to General Film Distributors. Zolton Korda will produce the picture.

Irving Asher starts four pictures for Columbia in about a month.

Paramount is making "The Man in Paris," with Valerie Hobson and Barry Barnes.

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LONDON, April 13.—This town is doing big business in French films, the same as New York, seemingly. Ludwig Berger's "Thois Valses," with Yvonne Printemps and Pierre Fresnay, is doing S.R.O. at the Curzon, where they get $2.12 top.

"Les Voyageurs," a circus picture with Francoise Rosay, directed by Jacques Feyder, is doing handsome business at the Academy at the same scale.

# Universal to Open Meet on Saturday

(Continued from page 1)

the newsreel. This compared with a current season schedule of 40 features, 12 "outdoor" pictures, four serials, a "combination" reissue, 81 shorts and 104 issues of newsreel.

Harry Edington's new produ[illegible]n organization will contribute three features to the new schedule and, with distribution of "The Mikado," a total of 40 will come from the Universal studio. Reduction in the short subjects lineup is accounted for by the dropping of the cartoon series, "Vagabond Cameraman" series and Mentone musicals. Several new shorts series, however, will be announced.

Company's production budget for the new season is expected to reflect an important increase which will make it the largest in Universal history.

### Home Office Men Due Today

Home office delegation is due here from New York Friday. It includes in addition to Blumberg and Scully, W. J. Heineman, western sales manager; F. J. A. McCarthy, eastern sales manager; Joseph H. Seidelman, foreign sales manager; Louis Pollock, eastern advertising and publicity director, and F. T. Murray, Charles A. Kirby, Clarence Margon, James Jordan, O. C. Binder, Andrew Sharick and Morris Alin. Entire home office delegation goes to Chicago from here to attend the second regional meeting at the Palmer House there Tuesday through Thursday.

Scully and Heineman will be the only home office officials to continue on to San Francisco for the third and final session at the St. Francis Hotel, April 22-24.

District and branch managers and salesmen from the following offices will attend the meeting here: Boston, New Haven, Philadelphia, New York, Atlanta, Charlotte, Dallas, Memphis, New Orleans, Oklahoma City, Washington, Albany, Buffalo, Cleveland, Pittsburgh, Cincinnati.

# *Neely Bill Futile, Kuykendall Asserts*

(Continued from page 1)

while exhibitor proponents are concerned with commercial advantage rather than ethics.

A parade of exhibitors representing independent associations told the subcommittee why they are not in favor of the bill. Introduced by Kuykendall, they included Henry R. Berry, Hartsville, S. C., vice president, and Lyle M. Wilson, Roanoke Rapids, N. C., president, T. O. of North and South Carolina; Harry E. Hogan, Ft. Wayne, Ind.; Frank H. Cassil of St. Joe, president, Kansas-Missouri T. O. Association; Oscar C. Lam of Rome, Ga., representing Southeastern T. O. Assn.; Leo Brecher, New York, representing I. T. O. A., and William F. Crockett, Virginia Beach, Va., president of M. P. T. O. of Virginia.

With some 25 witnesses still to be heard, Senator Neely urged that steps be taken to shorten the hearing and asked whether it would not be possible for some witnesses to present their testimony in written form.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 45. NO. 73 NEW YORK, MONDAY, APRIL 17, 1939 TEN CENTS

## Universal Sets Details on 36 Of 44 Features

### Budget Up $5,000,000, Sales Session Told

CINCINNATI, April 16.—Universal as completed plans for 36 of the 44 eatures on its new season schedule, William A. Scully, vice-president and eneral sales manager, informed the ompany's eastern and southern sales orces today at the first of three reional sales meetings. The session at he Netherlands-Plaza here will be oncluded tomorrow.

Scully told the meeting that a $5,-00,000 increase in the production udget over last year's appropriation ad been authorized for the new seaon. This will be expended on the 40 eatures to be produced at the Uniersal studio. In addition, Harry Edngton's new producing organization will contribute three special attracions with top-ranking stars, and "The Mikado" will be the fourth production rom an outside source.

In addition to the 44 features, Uniersal will have a series of seven outdoor" pictures, starring Richard Arlen and Andy Devine; a series of

(Continued on page 3)

## Para. Convention On Coast June 12

HOLLYWOOD, April 16.—Paramount will hold a national sales convention n Los Angeles, June 12, 13 and 14, he company's first national meeting or the entire sales force in seven ears.

Approximately 200 salesmen, branch nd district managers, home office and tudio executives, and company repreentatives from Canada and foreign offices will attend the three-day meetng at the Ambassador Hotel. Deision to hold the national meeting ere was made following the arrival f Neil F. Agnew, distribution head, nd other home office executives at he studio, where the new season proluction plans were studied last week.

"The home office executives were so mpressed by the studio's plans for the oming season that it was felt that very member of the company's sales orce should be brought here for firsthand information on the lineup," Agnew said.

Expected from the home office are Barney Balaban, Stanton Griffis, Russell Holman and Robert Gillham.

## *See Neely Losing Interest in Bill*

**Washington, April 16. — Senator Wallace H. White of Maine was forced to conduct Friday's hearing on the Neely bill by himself in the absence of Chairman E. D. Smith and Senator Mathew Neely. The last-named appeared to lose considerable of his interest in the proceedings as opposition to the bill mounted, but both he and Senator Smith are expected to be present for the summation tomorrow, the latter having requested that it be deferred over the weekend so that he might attend.**

## 20th-Fox Policy on Radio Not Changed By Airing of Derby

Sponsoring by 20th Century-Fox of the Kentucky Derby broadcast over 93 stations in the CBS network on May 6 does not alter the company's policy on radio, which is to keep its stars off the air, S. R. Kent, president, has informed company personnel.

The tieup will exploit "Rose of Washington Square," with announcements on the film during the broadcast. The cost of the commercial is $50,000, of which $25,000 represents the radio rights to the turf classic and some $25,000 in air time.

A statement in the company's house organ, the *Dynamo*, declares that this can "by no means be interpreted that its stand against use of its stars on the radio is in any way changed" and

(Continued on page 3)

## *Premature Sale of Play to Films Betrays Theatre, Says Sherwood*

**"We believe that the manager or playwright who sells a play prematurely to the movies is betraying the theatre's best interests and his own. We believe this also applies to a star who forces the closing of a play by leaving to take a movie contract."**

**Robert E. Sherwood, president of the Dramatists' Guild, voices these views in *Equity*, organ of Actors' Equity, which last month criticized the sale of Sherwood's play, "Abe Lincoln in Illinois," for film production after Sherwood announced that the play's run might be cut short. RKO paid $250,000 for the play.**

***Equity* now says that the play will be kept going during the summer despite Raymond Massey's absence in Hollywood. Sherwood says that the sale was made on condition that the play's producers participate in the film on a sharing basis and thus exercise a reasonable control and that Massey be the star.**

# WEEKEND PARLEYS MAY HALT STRIKE

### *Negotiations Waiting on Arrival of Pat Casey From New York*

HOLLYWOOD, April 16.—Determined efforts to avert an I. A. T. S. E. strike of national proportions as a result of the disagreement over terms of a new contract with I. A. T. S. E. studio locals were made here over the weekend by production executives in meetings with union officials. Indications are that as a result of the weekend meetings danger of a strike was dissipated, if not completely dispelled.

Next move in the negotiations may be deferred until the arrival from New York of Pat Casey, producers' labor representative, who is held there by meetings with the executive committee of the American Federation of Musicians on reemployment plans for musicians. It is believed that Casey may return here by the end of the week or early next week and that, in the meantime, the situation will remain in status quo.

John Gatelee, International representative, on Friday told MOTION PICTURE DAILY that unless the major producers quickly accepted the I. A.

(Continued on page 3)

## Daylight Time Is Gaining in Upstate N. Y.

ALBANY, April 16.—Daylight saving time, the bugaboo of exhibitors, who claim it clips their summer business by as much as 25 per cent, is making definite gains upstate. This spring 42 of the 60 cities upstate will join in the plan, which starts in New York State April 30 and runs through Sept. 30.

The rush to the summer time standard is spreading and if Syracuse, at its referendum next Friday should vote affirmatively, the following cities are expected to follow suit: Salamanca, Oswego, Oneonta, Canandaigua, Oneida, Sherrill, Olean, Norwich, Hornell, Ithaca, Corning, Dunkirk, Elmira and Geneva.

### Binghamton Decision Soon

Binghamton may go to daylight saving time, with a decision soon to be made.

New cities lined up for summer time are Plattsburg and Watertown, previously on a limited summer basis, Rochester and Auburn being new. Jamestown, Ogdensburg and Batavia, always standard time cities, will change.

In the villages, 115 of 151 are lined up for daylight saving time for 1939, a big increase over former years.

## SMPE Convention Will Open Today

HOLLYWOOD, April 16.—Delegates began arriving here yesterday and today for the annual spring convention of the Society of Motion Picture Engineers at the Hotel Roosevelt, opening tomorrow. The meeting will run through Friday. Final details have been completed for the elaborate program of technical papers, and arrangements have been set for the semi-annual banquet Wednesday evening. The sessions will open tomorrow at 9 A. M. with registration, followed by a general and business session, a get-together luncheon and a sound session.

In addition to most of the 350 Pacific coast delegates who are expected to attend, there will be 150 additional delegates present. A number of changes from the tentative program are planned. Erpi will give the delegates a cocktail party Tuesday afternoon and throw its new plant and laboratory open for their inspection Wednesday.

Early arrivals include E. A. Williford, president; W. C. Kunzmann, vice-president, Julius Haber, Sylvan Harris, and Charles Ross.

# Purely Personal

ART SCHMIDT, field contact on Loew's publicity, is on a tour which will keep him out of town until early in May. He has already visited St. Louis and Kansas City, and will visit Houston, New Orleans, Memphis and Atlanta.

•

Franklyn Warner, Fine Arts Pictures head, has postponed his departure for the coast until today to complete his talks with Earle W. Hammons on a new Grand National distribution deal.

•

Jules Levy, RKO general sales manager, is en route here from the coast after a studio visit and stopovers at several company exchanges. He is due in at the end of the week.

•

Richard Carlson left the cast of "Stars in Your Eyes" on Broadway Saturday, and flew to the coast, where he will have the masculine lead in Walter Wanger's "Winter Carnival."

•

Sir Gordon Craig, head of British Movietone, and R. Sutton Dawes, 20th Century-Fox sales director in Great Britain, sailed Saturday on the *Aquitania*.

•

Harry Goetz, Sam Harris, Robert E. Sherwood and Harold Rodner saw the Will Rogers National Theatre Week short at the Music Hall Friday.

•

Larry Williams, cameraman, who just completed shooting three Robert Benchley shorts for M-G-M here, left for a vacation in Hollywood. He plans to return to New York in about four weeks.

•

E. C. Grainger, general manager of Feiber & Shea, arrived in New York Friday after a month in Florida, with Mrs. Grainger and their two children.

•

Fred Astaire flew to New York late last week from the coast and will sail shortly for a vacation in England.

•

Irving Maas, 20th Century-Fox foreign service manager, is back on the job following an operation.

•

Joseph M. Schenck, 20th Century-Fox board chairman, has postponed his scheduled trip east.

•

Manny Reiner of Monogram has returned from Hartford where he staged the "Streets of New York" premiere.

•

Victor Saville, M-G-M producer in England, sailed for New York Saturday on the *Queen Mary*.

•

Lya Lys will arrive in New York today from Hollywood, where she has just completed work in Warners' "Confessions of a Nazi Spy."

•

Albert and Mrs. Warner have ended their Florida season and are back in town.

# Insiders' Outlook

By SAM SHAIN

TODAY, the Greater New York Fund begins its annual drive. The goal is $10,000,000, and the motion picture industry is asked to do its part. Last year the industry raised $65,000. This year, $100,000 will be sought.

The money which is raised by the G.N.Y.F. comprises new and additional income for 380 voluntary welfare and health agencies in the city, whose sources of income, in recent years has become greatly reduced.

In this Fund, for the first time in the history of New York City, Catholics, Jews and Protestants are permanently affiliated to finance the one common cause—of charity.

▼

When the extraordinary range of service which the Fund helps to provide is contemplated, it is realized how vital it is that the drive should succeed.

The 380 member agencies of the Fund serve annually 2,000,000 people.

The Fund is a form of united appeal, and no member agency of the Fund will seek contributions during the year from any business firm or employe group which has met its communal obligations through it.

Member agencies of the Greater New York Fund have promised not to solicit contributions from business firms or employe groups. This approach to the rank and file is made only by the Greater New York Fund.

It is a simplified method of giving to all agencies.

There is no rigid formula of giving, but the Fund suggests one day's pay as a basis for contribution. No gift of more than $500 may be accepted from any one member of an employe group.

▼

J. Robert Rubin this year, again is chairman of the committee for the motion picture industry. The group includes Jesse Mills, Maurice Silverstone, William A. Orr, Don Mersereau, Sam Shain, Austin Keough, Harold Rodner, W. C. Michel, Ned Depinet, J. Cheever Cowdin, Harry Buckley, B. S. Moss, Fred Schwartz, Lawrence Bolognino, George Skouras, Leo Brecher, Joseph Seider, William Morris, Jr., William Pizor, C. H. Secor, Jean Lenauer, Al Senft, C. C. Moskowitz, Maurice Kann, Nate Spingold, Jack Alicoate, Harry Brandt, Martin Quigley, W. Ray Johnston, James R. Grainger, Major L. E. Thompson, Samuel Cocalis, Samuel Rinzler, Walter Reade, Eddie Rugoff, Max Cohen, Fredric March, Herbert J. Yates, Joseph Burstyn, Charles O'Reilly, Herman Robbins, Charles Casanave, Samuel Strassburg.

Bob Rubin has called a luncheon meeting of this general committee for Wednesday at the Hotel Astor for purposes of organizing and establishing a plan of operation for the motion picture group.

## 5,000 Theatres to Aid Rogers Drive

More than 5,000 theatres will participate in Will Rogers National Theatre Week, which starts next Thursday, according to Major L. E. Thompson, campaign chairman. This is the fourth annual drive in tribute to the late comedian.

The proceeds will be used to continue support of the Will Rogers Memorial Hospital at Saranac Lake and kindred philanthropies for the needy of the film and theatre industries. Part of the funds will be for the aid of local institutions caring for handicapped children.

Participating theatres during the week will show "For Auld Lang Syne," 10-minute short, which features Raymond Massey in two scenes from "Abe Lincoln in Illinois." There is an introduction by Robert E. Sherwood, author of the play, and then Deanna Durbin introduces Spencer Tracy, who makes an appeal for audience contributions. The commentary is by Lowell Thomas. The film was produced at the Movietone Studios here and Eastman, Dupont and Gevaert contributed the raw stock. National Screen exchanges are distributing it.

## Ross Federal Makes Number of Changes

Ross Federal Service has made a number of changes, as follows: Paul LaRoche has been transferred from Boston to branch manager in Washington; H. O. Gleiss is the new head of the Cincinnati office; C. R. Corradini, transferred from Cincinnati to Boston; W. A. Warner has been named assistant to J. A. Kraker, head of the Philadelphia office and district manager; Harold Henderson, assistant to Walter Brown in Chicago, transferred to Omaha as manager, with Stewart Martin of Boston succeeding Henderson. Ruel Williams will soon take over the Los Angeles branch.

## W. B. Billings Hit Record $2,000,000

With $2,000,000 or more in billings, last week was the biggest in Warners' history, according to a weekend tabulation. The figure is for the United States and Canada. This was the final week of the Grad Sears Drive which started Dec. 25. The drive was the company's most successful one, sales officials stated.

## Schaefer, McCormick Leave for Hollywood

George J. Schaefer, RKO operating head, left for the coast by train over the weekend to spend several weeks at the studio in new season production conferences. He was accompanied by S. Barret McCormick, RKO advertising and publicity director, and Gordon Youngman of the home office legal department.

Schaefer was reelected chairman of the board and president of Keith-Albee-Orpheum, principal RKO theatre operating subsidiary, along with all other officers at the annual meeting of the company's board on Friday. Other officers are Malcolm J. Kingsberg, vice-chairman; Leon Goldberg, treasurer; William F. Whitman, secretary; O. R. McMahon, W. J. Kernan, William Murray and H. E. Newcomb, assistant treasurers, and Louis Joffe and H. M. Pimstein, assistant secretaries.

Board members, all of whom were reelected earlier, are Schaefer, L. P. Yandell, N. Peter Rathvon, Donald K. David, Monroe Goldwater, Kingsberg and John J. McCaffrey.

Directors declared a dividend of $1.75 per share on the seven per cent cumulative convertible preferred for the quarter ended Sept. 30, 1936, payable July 1, next, to holders of record on June 15.

## Warner Theatres Ad Men Meeting Today

Warner Theatres advertising men will meet at the home office today to discuss exploitation for "Confessions of a Nazi Spy" and "Juarez." Harry Goldberg, director of advertising and publicity for Warner Theatres, called the meeting and will preside.

Scheduled to speak are Joseph Bernhard, general manager of Warner Theatres; Charles Einfeld, Warner Pictures director of advertising and publicity, and Mort Blumenstock, in charge of publicity and advertising in the east. Those scheduled to attend are Dan Finn, New Haven; Everett Callow, Philadelphia; Frank LaFalce, Washington; Joe Feldman, Pittsburgh; Sid Dannenberg, Cleveland; Larry Stein, Chicago; Jack Keegan, Milwaukee; Charles Smakwitz, Albany, and Mort Levine, Atlantic City.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# Universal Reveals Details on 36 of Its 44 Features

(Continued from page 1)

seven westerns, starring John Mack Brown; four serials; 13 two-reel and 43 single reel subjects and a special [illegible]o-reel subject, "March of Free[illegible]m." There will be 104 issues of Universal Newsreel.

The new season commitments and titles follow.

Two Deanna Durbin pictures, to be produced by Joe Pasternak.

"The Ocean Between," to be produced by Pasternak and directed by Henry Koster, from the story by Bruno Frank and screenplay by Bruce Manning.

### One With Bing Crosby

A Bing Crosby picture, to be directed by David Butler.

An Edgar Bergen-Charlie McCarthy picture. David Butler, director.

An Irene Dunne picture.

"Bull by the Horns," a John M. Stahl production, from the novel by Charles Bonner, who will also do the screenplay.

A W. C. Fields picture, Lester Cowan, producer.

A Charles Boyer picture.

A Margaret Sullavan picture.

"The Under Pup," a Pasternak production, starring Gloria Jean, new juvenile "discovery," in a screenplay by Grover Jones from I. A. R. Wylie's story. Richard Wallace, director.

A James Stewart picture, to be produced by Pasternak, with Mischa Auer.

"Tower of London," starring Basil Rathbone. Rowland V. Lee, producer.

"Victoria Docks at 8," starring Basil Rathbone. Richard Wallace, producer and director. Screenplay by James M. Cain from the Rufus King story.

"Rio," starring Danielle Darrieux, to be produced by Pasternak with an outstanding director to be assigned.

"The Invisible Man Returns," directed by Joe May.

Jackie Cooper and Freddie Bartholomew in "Flying Cadets," to be produced by Burt Kelly and directed by Joseph Santley, from the screenplay by Charles Grayson and Whitney Bolton, and in a second, "Bright Victory," for which Val Burton and Ed Hartmann will do the screenplay.

"Return of the Sheik," to be produced and directed by Ben Stoloff.

### Two "Family Next Door"

Two "Family Next Door" pictures, continuing the series with Hugh Herbert, Joy Hodges, Ruth Donnelly, Eddie Quillan, Juanita Quigley and "Sandy." Max Golden, associate producer, Joseph Santley, director, screenplay by Mortimer Offner.

"His Son," starring Jackie Cooper.

Two "Little Tough Guys" pictures.

"Friday the 13th," starring Boris Karloff and Bela Lugosi. Story by Willis O. Cooper.

Also four "special exploitation pictures," "Live Alone and Like It," "Advice to the Lovelorn," "Convicted Women" and "Missing Evidence."

Four musicals, "Penthouse Serenade," "Dancing for Love," "Rhythm for Sale" and "Romance in the Tropics."

Three to be produced by Edington are:

Douglas Fairbanks, Jr., in "Atlantic Cable," an original by Dennison Clift.

Cary Grant in an adaptation by Edwin Justus Mayer of the French stage play, "Le Chien."

"Green Hell," an original drama of the tropics by Francis Marion.

Remainder of the feature program will be made from such of the company's story properties as "The House of Fear," "Old Grad," "Distress Signal," "Eyes of the Coast Guard," "Vice Ring," "Hero for a Night," "Homicide Bureau," "Hidden Money," "Inquiring Reporter," "Witness Vanishes," "Refugee," "Front Page Confession," "Counterfeit Ring," "Freedom of the Air," "Ghost Ship and "Jail Baby."

Ben Pivar will produce the seven "outdoor" pictures with Arlen and Devine. They are "Raging Rivers," "Way of the West," "Man from Montreal," "Air Express," "In Old California," "Steel" and "Sea Patrol."

Titles of serials are "The Green Hornet" (from the radio serial), "The Phantom Creeps," with Lugosi; "The Oregon Trail," with John Mack Brown, and "Buck Rogers Conquering the Universe," with Larry Crabbe.

There will be a "combination" show reissue of "My Man Godfrey" and "The Old Dark House."

A new series of 13 special color cartoons will feature the company's new season shorts program. In addition there will be 15 "Going Places" and 15 "Stranger Than Fiction" releases, a new series of 13 two-reel musicals, the two-reel "March of Freedom" and the regular twice-weekly newsreel releases.

### "U" Signs George Brent

Hollywood, April 16.—Universal yesterday signed George Raft to star in "I Stole a Million," which will be directed by Frank Tuttle and produced by Burt Kelly.

## *'U' Sales Policy to Follow Trade Code*

**Cincinnati, April 16.—Universal's new season sales policies will conform to the proposed industry trade practice program, W. A. Scully, company sales head, said today.**

**All policies have been drawn with the code in mind and its provisions are being fully explained to the company's field sales forces in the current meetings, it was said.**

## *U. S. Films Holding Popularity in Rome*

Washington, April 16.—American films accounted for 15 of the 32 pictures shown in first run theatres during January and December, in Rome, Italy, according to a report to the Department of Commerce. In January, 16 films were shown in Rome. Five were American, six Italian, two English, two French and one Spanish-German. In December, 10 American films were shown against three Italian, two German and one French.

# Weekend Parleys May Halt Strike Of IATSE Units

(Continued from page 1)

T. S. E. demands, at least in principle, there will be a general strike in the studios and affiliated theatres.

Joseph W. Carpenter, one of Local 37's deposed officers, declared his group would not recognize Browne's strike call until the membership voted on the question. His group issued a statement saying that the general strike call was issued to bring pressure on the producers to have the grand jury investigation of alleged racketeering called off. Union officials have been summoned to appear before the Los Angeles County grand jury next Wednesday.

The demands include bargaining agreements and closed shop conditions for four studio locals. Gatelee said the unions have been waiting for an answer since March 15 and that the strike call issued Thursday followed rejection of demands.

The locals involved are Photographers' 659, Sound Technicians 695, Laboratory Technicians 683 and Studio Technicians 37. The latter is involved in a dispute with the International, which has taken over Local 37's affairs.

Conferences for an amicable settlement continued on three fronts over the weekend, while International representatives made frequent reports on the situation to George E. Browne, International president, who was in New York. Browne was said to have a majority of the International executive board on call ready for action.

Gatelee said that I. A. T. S. E. men are working under open shop conditions since the International withdrew from the studio basic agreement.

### Probe by Fitts

Meanwhile, District Attorney Buron Fitts, conducting an investigation into alleged studio labor racketeering, continued efforts to bring together warring factions headed by Frank Stickling and Gatelee of the I. A. T. S. E. on one hand and suspended officers of Local 37 on the other. On Friday Fitts conferred with Joseph M. Schenck, head of the Producers' Association, E. J. Mannix and Mendel Silberberg, producers' attorney.

On recommendation of Superior Judge E. H. Wilson, A. Brigham Rose, attorney for deposed Local 37 officers, submitted proposals to counsel for International officers, seeking to end litigation which has resulted in a temporary restraining order against Local 37 heads. Rose said the local's officers are determined that the first condition would be the return of absolute local autonomy and "freedom from dominance by the International."

Local 37's ousted officers renewed their plea to Attorney General Frank Murphy for an investigation of "labor racketeering." Gatelee countered with a statement that "we are willing, to quell once and for all the claims of radical elements, to hold a new election of officers for Local 37," and charged that "a vociferous radical minority of 10 per cent is making all the noise."

## *306-Empire State Merger Hits Snag*

**Proposed merger between Operators' Local 306 and Empire State Operators' Union which was revived during the recent strike appeared remote after weekend developments. It now appears that a motion to invite a representative of the I. A. T. S. E. and Joseph Basson, president of 306, to address members of Empire State, will be defeated when the motion comes up for a vote tomorrow evening.**

## *20th-Fox Policy on Radio Not Changed*

(Continued from page 1)

that the company will not permit its personalities to be absorbed by radio.

"Mr. Kent's announced policy that this company looks upon radio in one light, as a competitor that minimizes and discourages motion picture theatre patronage through gratis entertainment, remains the same," says the statement.

"This company views radio only as an advertising medium and will utilize it when its use will be advantageous in bringing people out of their homes to the motion picture theatre box-offices.

"This company does not intend to detour from its set course in taking the lead to stop radio's raid on starpower that costs the company, anyway, at least $3,000,000 annually to maintain. This company has never relied on radio for its talent. Radio has contributed absolutely nothing to this company's starpower."

## *Kent Cancels Trip To Meeting Abroad*

S. R. Kent, president of 20th Century-Fox, has canceled his scheduled trip to attend the company's Paris and London sales conventions. His work in connection with the trade practice code and other matters prevent his going.

Herman Wobber, sales chief, and Walter J. Hutchinson, director of foreign distribution, will sale Wednesday on the *Washington* for the Paris meeting, May 4 and 5, and the London session, May 11 to 13. Truman H. Talley, producer of Movietone shorts and news, will sail Friday on the *Queen Mary*. He will conduct a convention of his European newsreel forces in Paris following the sales meeting.

Wobber will return to New York from England, but Hutchinson will arrive May 29 in Rio de Janeiro for the South American convention, June 1 to 3. He then will attend the Central American conference in Trinidad, June 21.

### Kent Drive Starts Aug. 13

Seventh annual S. R. Kent Drive of 20th Century-Fox will start Aug. 13, under direction of Morton A. Levy, Minneapolis district manager. Levy will make three tours of branches in connection with the drive, the first to start in Los Angeles in July. Herman Wobber, sales head, will accompany him on the second and the division managers on the third.

## Broadway Houses Plan No Changes For World's Fair

Outside of routine decorations and a general spring cleaning, Broadway houses plan no changes in policy for the period of the World's Fair. General sentiment among managers is to let the Fair "take care of itself." It is felt that, with the exception of the Music Hall and possibly the Roxy, film houses will not receive any appreciable amount of business from out-of-towners. Principal concern will be not to lose too much local trade to the Fair.

Houses with a stage policy will probably feature a World's Fair number in the show during the week of April 30. Marquee decorations and some outdoor advertising will be used to attract the visitors. Managers state that the situation is unusual and no definite predictions can be made. A watchful attitude will be maintained to take advantage of any business increase beyond expectations. None of the houses will change price or stage show policies. Reports that the Capitol may add a stage show still persist but they have been consistently denied by the management. The theatres will continue to aid Fair promotion bu the feeling that the Fair is no aid to the theatre business and that promotion methods have not been handled efficiently by the Fair will tend to keep it at a minimum.

## *Para. Stockholders' Suit to U. S. Court*

Paramount stockholders' suit seeking an accounting and new management will be transferred from the N. Y. Supreme Court to the Federal court today or tomorrow, according to Joseph Nemerov, attorney for the plaintiffs. A stipulation to that effect has been entered. Paramount plans to file its answer or an application to dismiss the action in 10 days.

Nemerov declared that the primary purpose of the suit is to effect a change of management and stated that his clients and other stockholders are preparing to stage a proxy fight at the annual stockholders' meeting in June.

## *Associates to Meet*

Motion Picture Associates will meet April 21 at the Hotel Astor. Plan for obtaining revenue from the Will Rogers Memorial Fund will be the chief topic discussed.

## *Pa. Bill Requires Report on Illness*

**Harrisburg, Pa., April 16.—Assemblyman James J. Malloy has introduced in the Pennsylvania legislature a bill requiring theatre employes to report to the police immediately whenever a woman becomes ill in a theatre. Failure to comply carries a penalty of $25 fine and costs or 30 days in jail.**

## *Wisconsin 'Divorce' Measure Is Doomed*

**Madison, April 16.—State Affairs committee of the Wisconsin Assembly yesterday reported out the affiliated theatre divorce bill with the recommendation that it be killed. Committee's action spells certain defeat for the measure, which was introduced by Representative Nicol on March 24.**

## *Cincinnati Unit Drops Clearance Complaint*

CINCINNATI, April 16.—Following a reduction in second and third run clearances, arranged in a recent conference here between local RKO officials and the Greater Cincinnati Independent Exhibitors' Assn., attended by H. M. Richey, RKO director of exhibitor relations, independents have withdrawn their complaint to the Department of Justice on "oppressive clearances."

Saul M. Greenberg and John B. Strothers, attorneys, represented the independents in the negotiations which involved 64 houses in the Greater Cincinnati area.

## *Springfield Jubilee Will Honor Gus Sun*

SPRINGFIELD, O., April 16.—All local houses will participate in the Golden Jubilee Week, starting April 24, in honor of Gus Sun's 50th anniversary in the show business. Silent films of the old days, old-time songs with illustrated slides, and similar pre-sound activities will be featured at the theatres, some of which also will play split-week vaudeville bills, originally introduced by Sun, who now operates a booking exchange here.

Phil Chakeres, head of the Chakeres-Warner Theatres and Regent-State, Inc., is handling the arrangements, which include a banquet at the Springfield Country Club on April 29. This will be aired over WHIO, Dayton.

## *Abandons Bank Night*

MANSFIELD, O., April 16.—Recent announcement by Mayor Claude M. Hunter that arrests would follow initial awards, has caused William Dworski, manager of Warners' Madison, to abandon Bank Night. Hundreds of registrations had been made for the game, which he planned to inaugurate shortly.

## *Forms Open Air Theatres*

BOSTON, April 16.—Robert Cobe, former Republic exchange manager in New Haven, has organized Open Air Theatres of America, Inc., with a first project in Salisbury. Cobe is president, treasurer and chairman of the board. Salvatore Adorno plans to open a drive-in theatre in Middletown, Conn., about May 15.

## *20th-Fox Suit Move*

Application will be made today to the N. Y. Supreme Court for an order striking out the answer of 20th Century-Fox Film Corp. in the $60,000 damage suit of Anna and George Greeves for injuries caused by alleged negligence.

## *'Dodge City' Big in New Haven at $8,500*

NEW HAVEN, April 16.—"Dodge City" and "Women in the Wind" wound up on top in spite of an early opening which included four days of Holy Week. Gross was $8,500.

The Paramount dual, "Three Smart Girls Grow Up" and "Last Warning" took $6,700.

Estimated takings for the week ending April 13:

**"Wife, Husband and Friend" (20th-Fox)**
**"Arizona Wildcat" (20th-Fox)**
COLLEGE—(1,499), 25c-35c, 7 days. Gross: $2,700. (Average, $2,700)

**"Broadway Serenade" (M-G-M)**
LOEW-POLI—(3,040), 35c-50c, 7 days. Gross: $6,000. (Average, $8,000)

**"Three Smart Girls Grow Up" (Univ.)**
**"Last Warning" (Univ.)**
PARAMOUNT—(2,348), 35c-50c, 7 days. Gross: $6,700. (Average, $4,000)

**"Dodge City" (W.B.)**
**"Women in the Wind" (W.B.)**
ROGER SHERMAN—(2,200), 35c-50c, 7½ days. Gross: $8.500. (Average, $4,700)

## *Anti-Ascap Measure Is Killed in Conn.*

HARTFORD, April 16.—Connecticut's anti-Ascap bill was killed by the Senate here yesterday.

Bill had been opposed by Sara B. Crawford, Secretary of State; Louis D. Frohlich and Herman Finkelstein, of counsel for Ascap, at hearings before the Judiciary Committee of the House and Senate several weeks ago.

Secretary of State Crawford told the committee that she saw no need of creating a Department of Copyrights in Connecticut while the Federal Department was functioning in Washington, that it delegated functions to her office which it was not geared to handle, and that it could become an undue burden on small composers.

## *Goldwyn Answers Suit*

Samuel Goldwyn, Inc., and Samuel Goldwyn have filed answers in the U. S. District Court to the suit brought against them, Olive Higgins Prouty, author of "Stella Dallas," Air Features, Inc., and Selwyn & Co., Inc., by NBC, Blackett-Sample-Hummert, Inc., and the Charles H. Phillips Chemical Co.

## *Music Plea Is Rejected*

SAN FRANCISCO, April 16.—After series of conferences, Musicians' Local No. 6 has turned down the request of KYA manager Reiland Quinn, who sought a reduction from $39,000 to $20,000 in the amount the station is required to spend annually for live music. Quinn declared KYA's current earnings do not justify continuing the original agreement.

## *To Resume Stage Shows*

CLEVELAND, April 16.—Stage shows will return to Loew's State here the week of May 12 when Eleanor Powell will head "Eleanor Powell's Own Big Show." Whether this combination policy will be continued or not, is still uncertain, according to Loew Division Manager Col. Harry E. Long.

## *Approve Lab. Union Pact*

Approval of a contract negotiated with De Luxe Laboratories was voted by M. P. Laboratory Technicians, Local 702, at a meeting at the Capitol Hotel Friday night.

## 'Dodge City' Hits $19,500 For Best Cleveland Gross

CLEVELAND, April 16.—"Dodge City" at Warners' Hippodrome led with $19,500. "Prison Without Bars" at Loew's Stillman was a close second with $7,600.

"East Side of Heaven" on the RKO Palace screen with a vaudeville show headlined by Gracie Barrie took $15,000. "The Little Princess" was strong at the Allen with $4,750. The weather was bad.

Estimated takings for the week ending April 14:

**"The Little Princess" (20th-Fox)**
ALLEN—(3,000), 30c-35c-42c, 7 days, 2nd week. Gross: $4,750. (Average, $4,000)

**"Dodge City" (W.B.)**
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. Gross: $19,500. (Average, $12,000)

**"East Side of Heaven" (Univ.)**
RKO PALACE—(3,100), 30c-42c-55c, 7 days. Stage: 6 Acts Vaudeville, with Gracie Barrie, headliner. Gross: $15,000. (Average, $15,000)

**"Broadwav Serenade" (M-G-M)**
LOEW'S STATE—(3,500), 30c-35c-42c, 7 days. Gross: $10,000. (Average, $13,000)

**"Prison Without Bars" (U.A.)**
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 8 days. Gross: $7,600. (Average, $4,000)

**"Ballarina" (Cinatlantica)**
CITY—(485), 35c-42c, 7 days. Gross: $800. (Average, $850)

## *3-Minute Trailer Bill Passed in Delaware*

DOVER, Del., April 16.—A bill has been passed by the Delaware Senate limiting showing of trailers, advertisements and views of coming attractions to three minutes. All film theatres in the state come under the measure. Senator Renard, its sponsor, said that it was designed to protect patrons from long previews. Under the bill longer previews are allowed if due notice is given on theatre fronts and in the press.

## *Republic Mexican Deal*

Morris Goodman, Republic foreign sales head, has closed a deal with Alianza Films of Mexico City for distribution of 20 selected films of the current program and four to six serials.

## *Team Taylor-Lamarr*

HOLLYWOOD, April 16.—Robert Taylor and Hedy Lamarr will be co-starred in M-G-M's "Lady of the Tropics." Sam Zimbalist will produce and Jack Conway direct.

## *Behrman Comedy Is Tonight's Opening*

**"No Time for Comedy," by S. N. Behrman, is scheduled to open tonight at the Ethel Barrymore. It is the tale of an author of humorous pieces who sets out to write more serious works. Katherine Cornell, who heads the cast, and the Playwrights Co. are the producers. Guthrie McClintic directed. Others in the cast are Laurence Olivier, Margalo Gillmore, John Williams, Robert Flemyng, Peter Robinson, and Gee Gee James.**

# HERE IT COMES!

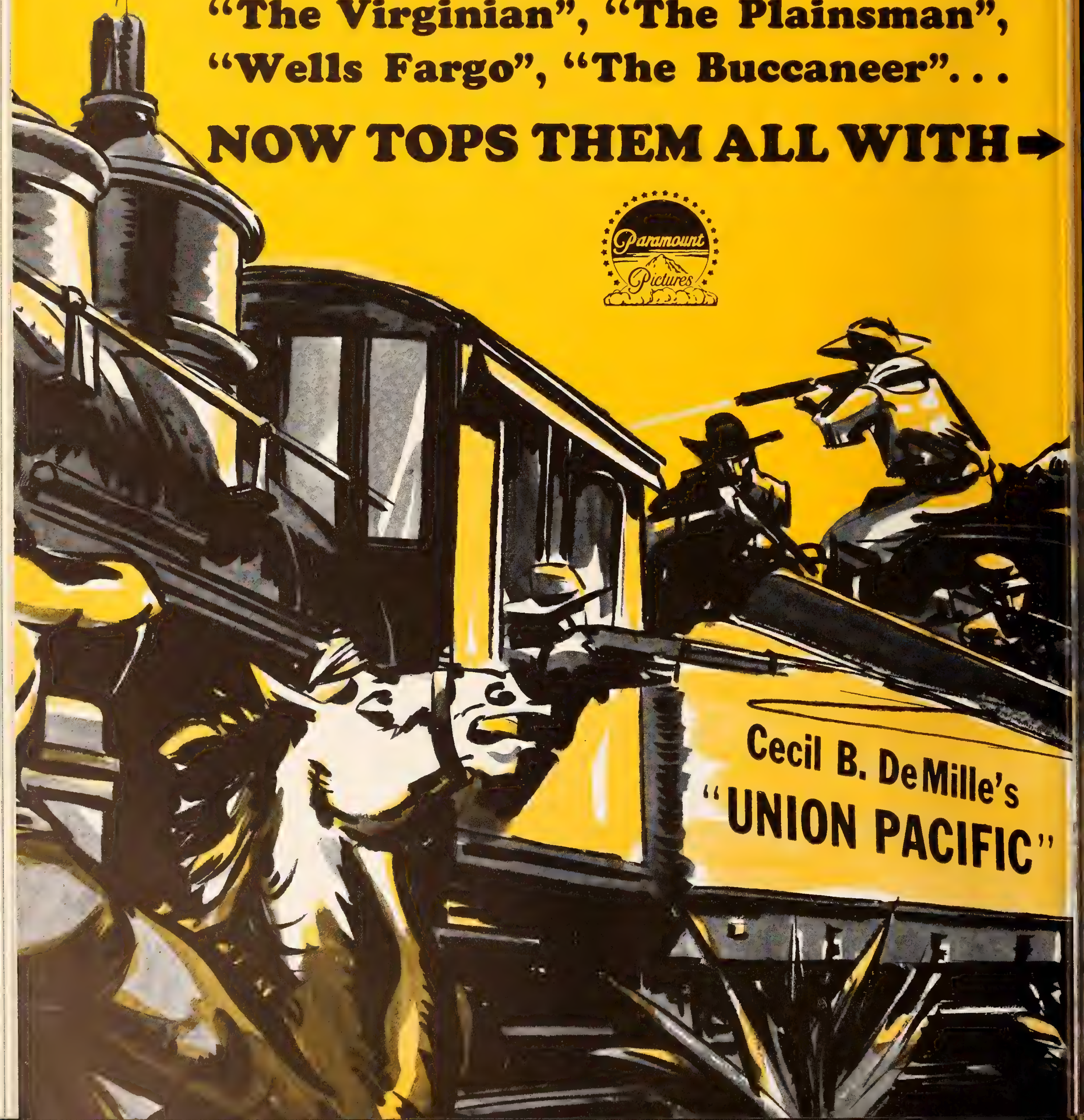
The Greatest American Epic of them all!

Cecil B. DeMille's

# "UNION PACIFIC"

**PARAMOUNT, always the leader in American epics, with such tremendous box office successes to its credit as "The Covered Wagon", "The Trail of the Lonesome Pine", "The Virginian", "The Plainsman", "Wells Fargo", "The Buccaneer". . .**

**NOW TOPS THEM ALL WITH ➜**


Paramount Pictures
Cecil B. DeMille's
"UNION PACIFIC"

# Cecil B. DeMille's

# "UNION PACIFIC"

starring

**Barbara Stanwyck · Joel McCrea**

with

**AKIM TAMIROFF · ROBERT PRESTON**

**LYNNE OVERMAN · BRIAN DONLEVY**

and a Cast of Thousands!

Produced and Directed by **CECIL B. DeMILLE**

Screen Play by Walter De Leon, C. Gardner Sullivan and Jesse Lasky, Jr.
Based on an Adaptation by John Cunningham of a Story by Ernest Haycox

Paramount Pictures

# Great Pictures Deserve Great Advance Selling . . .

## The Greatest Publicity Stunt in Picture History!

From Wednesday, April 26th through Saturday, April 29th the great city of Omaha, Nebraska will give "Union Pacific" the greatest send-off in motion picture history. Two blocks of city streets will be made into replicas of the 1869 period. Only horse-driven stage coaches, prairie schooners, and Civil War Cavalry will be allowed in the streets. 52 blocks, including the business section, will be elaborately decorated. A tribe of 35 Sioux Indians will camp on the Court House grounds.

On Thursday there will be a huge military parade. Mr. DeMille and the Paramount stars from the Coast will be guests of the city and of the State. Other celebrities will include the governors of Nebraska and neighboring states, as well as 12 presidents of America's great railroads.

On Friday there will be another tremendous parade starting off another day of city-wide celebration leading up to the official world premiere of "Union Pacific" at the Omaha Theatre to be broadcast over the Mutual Network of 125 stations. Portions of the celebration will be picked up by the N.B.C. Red network on Thursday night over 51 stations, and on Friday night over 52 stations.

The size of the celebration is quickly shown by such figures as these: 34,000 Nebraskan males now growing beards for "Union Pacific" celebrations, 60,000 men, women and children will be in costume, 325,000 Nebraskans will be present during the four-day celebration. Space does not permit further details—you will hear them on the radio, you will read them in your paper, as this greatest of all world premieres takes place.

## The Greatest Exploitation Stunt in Picture History

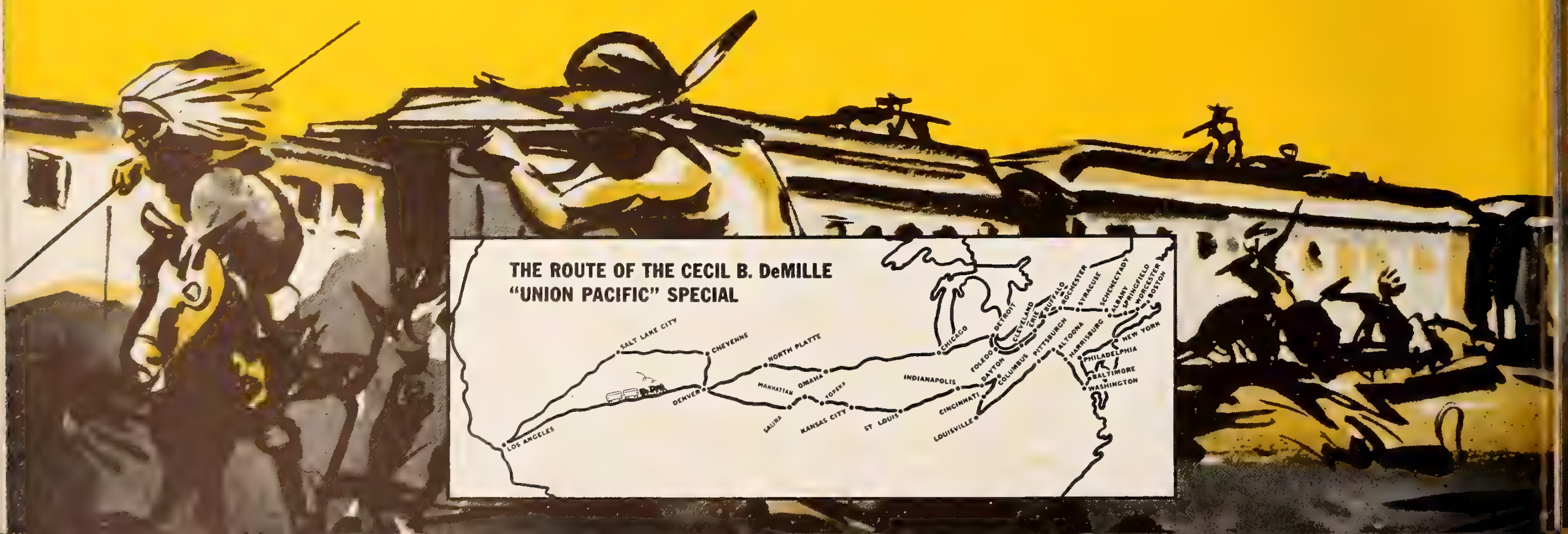
During the period, just before and after the release day of the picture, Cecil B. DeMille and a great number of famous Paramount stars, including Ray Milland, John Howard, Patricia Morison and Martha Raye, will make a huge coast-to-coast tour, hitting 36 key cities enroute, on the great Cecil B. DeMille "Union Pacific" special train. Leading this train will be the famous old engine No. 58, a locomotive built in the late 60's and used in the picture. Immediately following this will be the first of the great, new "Union Pacific" super turbine-electric streamlined locomotives showing in one quick glance 70 years of railroad progress. Behind this will come one of the first passenger coaches ever built in the United States, an 1869 baggage car, a civil war period coach and a blacksmith's car. Following these will come the line-up of streamlined pullmans carrying the Paramount stars. You can see the key cities the train will hit on the map at the bottom of this page.

A special shortwave transmitter, as part of the train equipment, will make possible continuous broadcasts of the train to the cities it is approaching. There will be another big-time broadcast from Schenectady. A Hollywood preview of "Union Pacific" is planned for each city where the train stops. The train will be open to the public and Mr. DeMille and the stars will be available, where possible, for personal appearances at previews.

## The Greatest Advertising Campaign in Picture History

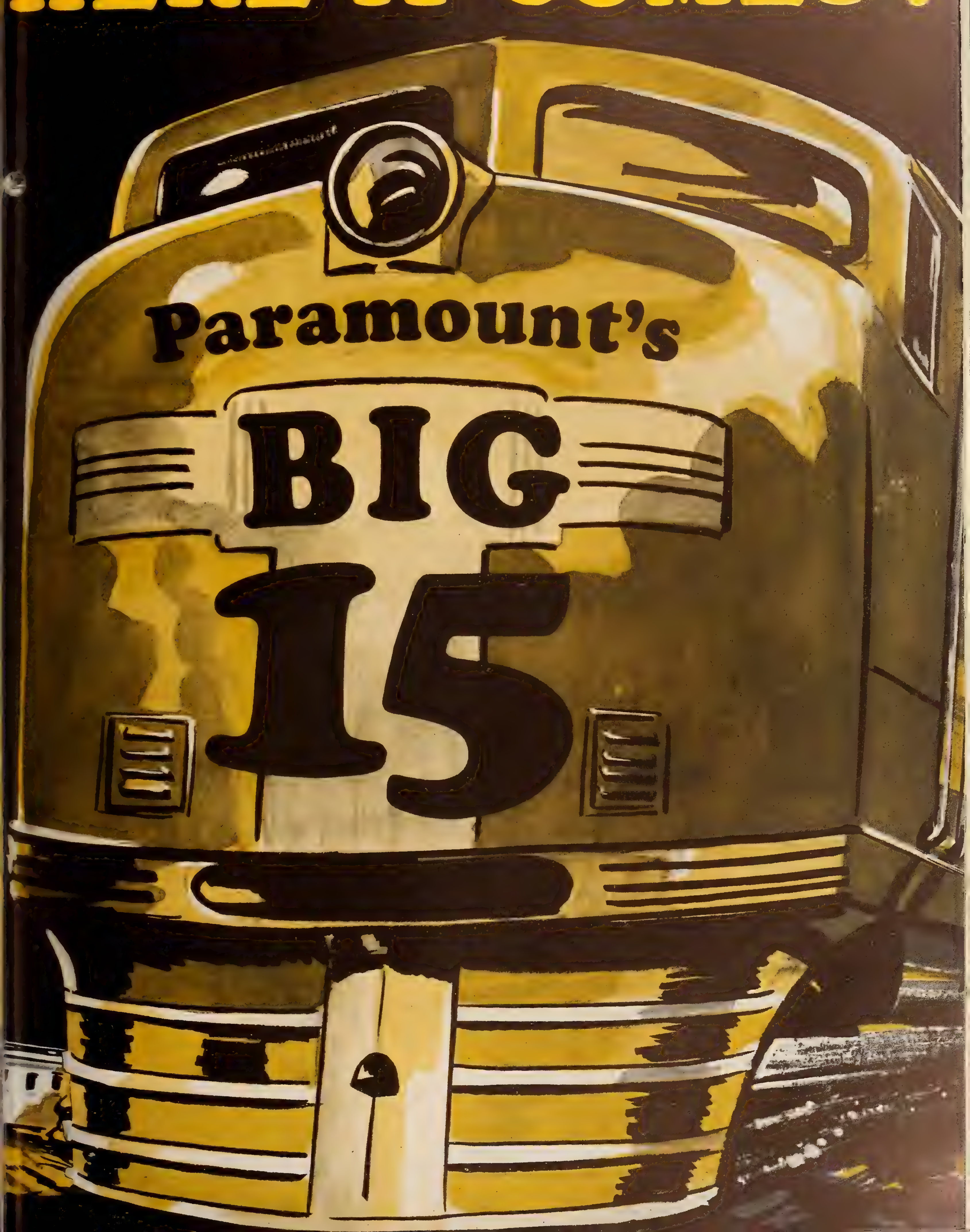
In addition to cooperative campaigns in many key cities, Paramount will run a huge national advertising campaign in the American Weekly and in This Week. A full-page, 4-color advertisement in American Weekly on April 30 will sell "Union Pacific" to its 12,293,119 readers. A 4-color, double spread in This Week on May 7 will sell "Union Pacific" to 12,979,050 readers. A full-page advertisement in Life's April 24 issue will sell "Union Pacific" to 17,300,000 readers. Other Paramount ads will appear in Hollywood Magazine, Motion Picture Magazine, Movie Story, Modern Screen, Screen Book and Picture Play. In addition to the five radio broadcasts from Omaha, Cecil B. DeMille's Lux Radio Theatre, with its millions of listeners, has for the past 15 weeks been plugging Mr. DeMille's newest, and he believes, his greatest picture; and will continue to do so until past release date.

The Union Pacific Railroad is crashing through with a tremendous cooperative advertising and exploitation campaign for the picture, timed to synchronize with its own 70th anniversary and release date of the film. A $50,000 advertising campaign will include national ads during April, May and June in Collier's, Look, Newsweek, The New Yorker, Saturday Evening Post, Time, Liberty, Photoplay, Red Book, American Weekly and will feature billing scenes from the picture. The Hamilton Watch Company will run a nation-wide advertising campaign built around "Union Pacific." Other national advertisers to tie-in are California Fruit Growers' Exchange, Wonder Bread with full-page and half-page, full-color ads in the American Weekly; Tea Bureau, Pennzoil, Pan-American Oil Company, with 24-sheets in the four southern States in which it operates. International Silver Company is launching a series of ads which will appear in national magazines at release date of "Union Pacific."



THE ROUTE OF THE CECIL B. DeMILLE
"UNION PACIFIC" SPECIAL

# HERE IT COMES!


Paramount's
BIG
15

# Paramount gives you 15 BIG ONES in 5

### The Greatest American Epic!

Pre-sold to millions! Sold on the Lux radio program . . . in $150,000 advertising campaign . . . by Cecil B. DeMille All-Star train in 36-city coast-to-coast tour . . . in gigantic, unsurpassed four-day world premiere celebration in Omaha, Neb. Greatest exploitation job in picture history!

**Cecil B. DeMille's**

## "UNION PACIFIC"

starring

**Barbara Stanwyck**
**and Joel McCrea**

with

**Akim Tamiroff • Robert Preston**
**Lynne Overman • Brian Donlevy**
Produced and Directed by **Cecil B. DeMille**

Screen Play by Walter DeLeon, C. Gardner Sullivan and Jesse Lasky, Jr. • Based on an Adaptation by Jack Cunningham of a Story by Ernest Haycox

### A Great New Name Combination!

"Just about the best comedy ever caught by the camera", says M. P. Daily. "Better than 'It Happened One Night'," read audience comments. And the figures speak for themselves: Miami 134%, Boston 110%, Worcester 121%, Hartford 122%, New Haven 140%.

**Claudette Colbert**
**Don Ameche**

in

## "MIDNIGHT"

with

**JOHN BARRYMORE**
**FRANCIS LEDERER**
**MARY ASTOR**
**Elaine Barrie**

Screen Play by Charles Brackett and Billy Wilder • Based on a Story by Edwin Justus Mayer and Franz Schulz

Directed by MITCHELL LEISEN

### Americas's Favorite Humorist!

Bob Burns, as Hollywood Reporter says "Clinches star niche" with this big time hit. Beating "Arkansas Traveler" grosses everywhere. Doubled average business in Kansas City terrific first week, smash second week at N. Y. Paramount.

**Bob Burns** in

## "I'M FROM MISSOURI"

with **GLADYS GEORGE**
**Gene Lockhart • Judith Barret**
**William Henry • Paricia Morison**

Screen Play by John C. Moffitt and Duke Atteberry
Based on Stories by Homer Croy and Julian Street

Directed by THEODORE REED

●

### The Year's Best Racing Picture!

Delivered just at the time racing interest is at fever pitch, Kentucky Derby time, it's a box office wonder all the way. Raft has perfect part as race track gambler. Ellen Drew takes to her first star role as you knew she would!

**George Raft • Ellen Drew**

in

## "THE LADY'S FROM KENTUCKY"

with **HUGH HERBERT**
**Za Su Pitts • Louise Beavers**

Screen Play by Malcolm Stuart Boylan
Based on a Story by Rowland Brown

Directed by ALEXANDER HALL

Paramount Pictures

"UNION PACIFIC"
"MIDNIGHT"
"I'M FROM MISSOURI

# months—3 a month—when you need them most!

### Jack Benny's Best!

Topping even his famous "Big Broadcast of 1937". Four "Hit Parade" songs, a million laughs, a fast-moving, light-knit story that moves along to an uproarious climax, and a marquee-great cast. The best picture of the spring season.

**Jack Benny**
**Dorothy Lamour**
**Edward Arnold**
in

## "MAN ABOUT TOWN"

with
Binnie Barnes • Phil Harris • Betty Grable
Eddie "Rochester" Anderson • E. E. Clive
and Matty Malneck and His Orchestra

Original Screen Play by Morrie Ryskind
Directed by MARK SANDRICH

•

### Year's Funniest "Who Dun It?"

Its very title makes the customers titter in anticipation. This is the "different" picture they are all looking for—Gracie and Philo Vance sleuthing side-by-side in a dark purple mystery. The book is one of the season's best sellers—the picture is going to get a big break on the Chesterfield program.

S. S. VAN DINE'S

## "The GRACIE ALLEN MURDER CASE"

with
GRACIE ALLEN • WARREN WILLIAM • ELLEN DREW • KENT TAYLOR • DONALD MacBRIDE

Screen Play by Nat Perrin
Directed by ALFRED C. GREEN

### A Great Women's Picture!

The screen's most poignant and exciting actress in the picture which is the sensation of London—ten capacity weeks and still going strong. Critics have heaped such praise on it as no other has received in months. Every woman will want to see what few have dared to do—steal another's life and love!

ORION PRODUCTIONS LIMITED
present

**Elisabeth Bergner**
and
**Michael Redgrave**
in

## "STOLEN LIFE"

Produced and Directed by PAUL CZINNER
A Paramount Release

•

### A Great Emotional Drama!

Hard-punching, true-to-life. Director William K. Howard's greatest triumph. Says Hollywood Reporter: "Hits as box office melodrama. Memorable performances. Enthralling dramatic continuity liberally interspersed with good comedy and a number of songs destined to rank high in hit parade".

BERNARD STEELE
presents

## "BACK DOOR TO HEAVEN"

with
Wallace Ford • Patricia Ellis
Stuart Erwin • Aline MacMahon

Based on a Story by William K. Howard • Screen Play by John Bright and Robert Rasker • A Paramount Release
Produced and Directed by WILLIAM K. HOWARD

### Wesley Ruggles' Best Picture!

These two great stars both achieved their top performances under Ruggles' direction. They even surpass those performances in this one. Sneak previews show audiences swept from uproarious laughter to terrific excitement. A Wesley Ruggles picture is always a hit, as is witnessed by his "Sing, You Sinners" and "I Met Him in Paris!"

**Irene Dunne**
**Fred MacMurray**
in

## "INVITATION TO HAPPINESS"

with CHARLIE RUGGLES
William Collier, Sr. • Billy Cook
Marion Martin

Screen Play by Claude Binyon
Produced and Directed by
**Wesley Ruggles**

•

### Tamiroff, The Magnificent!

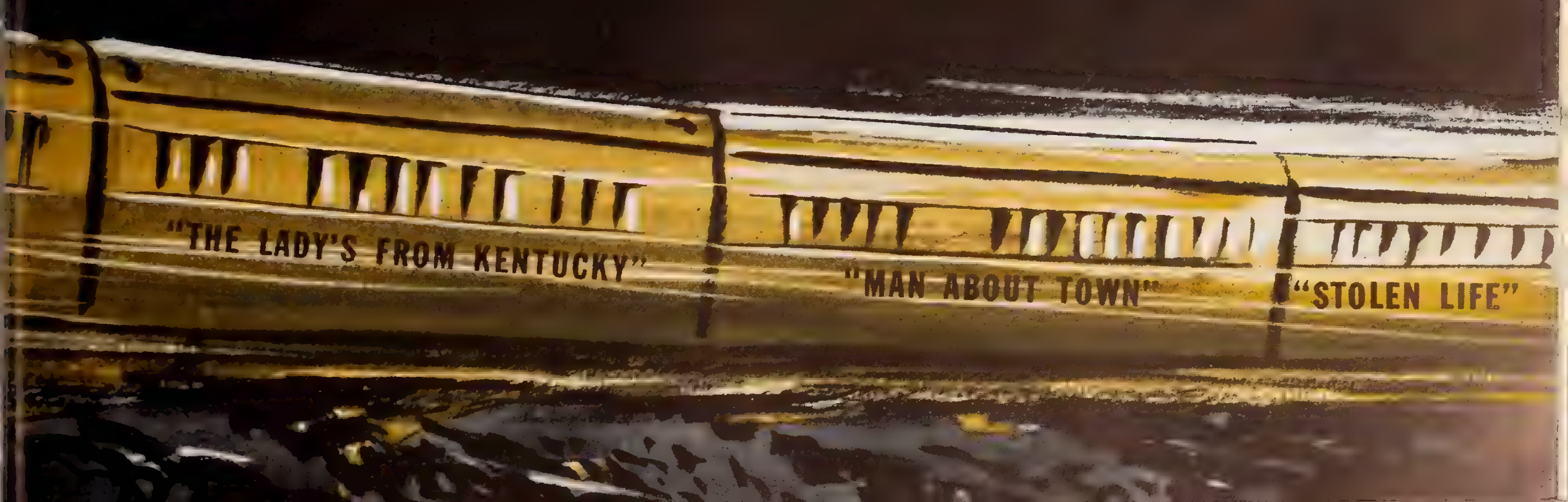
Here is the first chance he has had to go to town as he does in this great impersonation of a dictator. This picture has a locale that hasn't been done in pictures in a long time—Central America. A fast-moving, Richard Harding Davis type of picture.

Paramount presents

## "The MAGNIFICENT FRAUD"

with AKIM TAMIROFF
LLOYD NOLAN • MARY BOLAND
PATRICIA MORISON
GEORGE ZUCCO

Screen Play by Gilbert Gabriel and Walter Ferris
Adapted from a Story by Charles G. Booth
Directed by ROBERT FLOREY



### Bob Burn's Best!

Fits him like a glove, tailor-made by the great Irvin Cobb. Dramatic story of strife and struggle between left and right wingers, with Bob stopping the fight and showing them the way to go home. A picture with great force—just the kind to keep those home fires burning.

**Bob Burns**

in

## "OUR LEADING CITIZEN"

Directed by

**AL SANTELL**

### They'll Dance in the Aisles!

The "Thanks for the Memory" duo are hotter than ever, Bob rapidly becoming radio's No. 1 comedian and Shirley fresh from a series of personal appearances. Krupa and his band now packing in the nation's youth on his coast-to-coast tour. Two terrific tunes, "The Lady's in Love with You" and "Some Like It Hot".

**BOB HOPE · SHIRLEY ROSS**
**GENE KRUPA and His Orchestra**

in

## "SOME LIKE IT HOT"

with

**Una Merkel · Rufe Davis**

Screen Play by Lewis R. Foster and Wilkie C. Mahoney
Based on a Play by Ben Hecht and Gene Fowler
Directed by GEORGE ARCHAINBAUD

### Bing's Best!

Thrilling, true-to-life story of Broadway's greatest character—the Star Maker—who wrote hit songs, turned kids into top stars. An "Alexander's Ragtime Band" type of picture with an appeal to youth—with new songs and old faces and old songs and new faces. Bing introduces Linda Ware, beautiful girl with a voice that will leave you breathless.

**Bing Crosby**

in

## "THE STAR MAKER"

with **Louise Campbell · Linda Ware**
**Ned Sparks**
**A Charles R. Rogers Production**
Directed by **Roy Del Ruth**

### Timely War Drama!

The "Grand Hotel" of the front lines. Introduces the most publicized newcomer to the films in years, Isa Miranda, with more than a million lines in stories and photographs. Gets extra punch from fact: A dramatic story of Carpatho-Ukraine, released right at the time Nazi operations make that territory front page news.

**Isa Miranda and Ray Milland**

in

## "HOTEL IMPERIAL"

with **Reginald Owen · Gene Lockhart · J. Carrol Naish**
**Curt Bois and Don Cossack Chorus**

Screen Play by Gilbert Gabriel and Robert Thoeren · Based on a Play by Lajos Biro
Directed by ROBERT FLOREY

### A Belly-Laugh Panic!

The punch laugh hit of the Spring season. "Chalk up another hit for Martha Raye and Bob Hope", says Jimmie Fidler. "Sure fire for laughs", says M. P. Daily. "A procession of hilarious gags", says Film Daily.

**MARTHA RAYE · BOB HOPE**

in

## "NEVER SAY DIE"

with **Andy Devine · Alan Mowbray · Gale Sondergaard**
**Ernest Cossart**

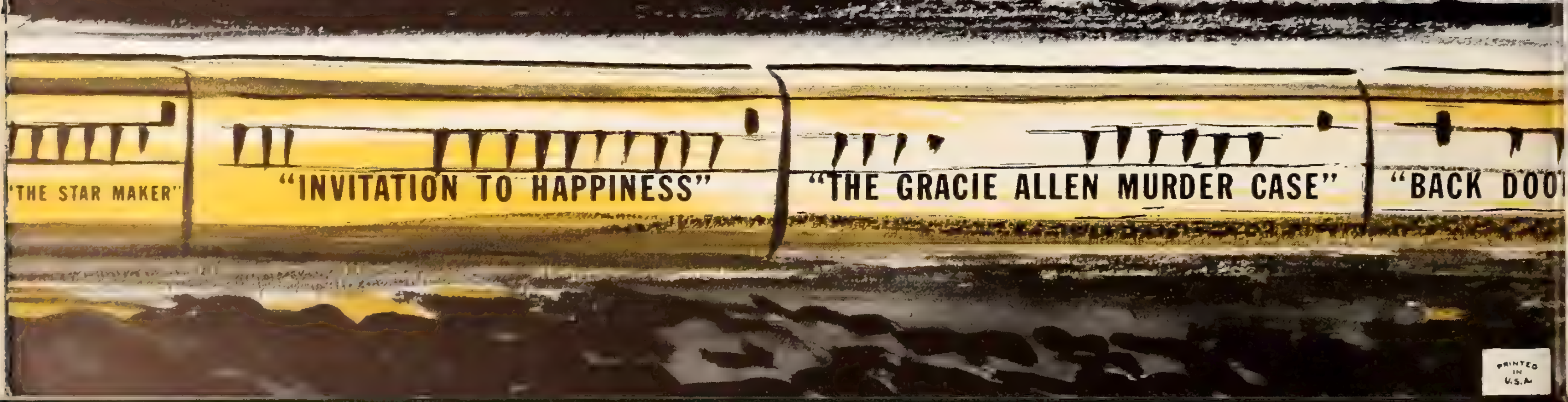
Screen Play by Don Hartman, Frank Butler and Preston Sturges
Based on a Play by William H. Post
Directed by ELLIOTT NUGENT

# GET ABOARD

## Ride to box office success with Paramount . . .

***Remember it's the last 5 months that count!***

Paramount Pictures



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# Expect Neely Bill Hearings Will Be Concluded Today

WASHINGTON, April 16.—Windup of the hearings on the Neely bill is expected tomorrow, when C. C. Pettijohn of the M. P. P. D. A., Abram [illegible]ers, Allied States general counsel; [illegible]tharine Lyford, secretary of the Massachusetts Civic League, and Mary T. Bannerman, national chairman of the committee on legislation of the Motion Picture Research Council, will make final reviews of testimony presented during the two weeks of the hearing.

Submission of direct testimony was concluded Friday with Gov. Carl E. Milliken, secretary of the M. P. P. D. A., outlining the industry's "Self improvement and self discipline" program which, with the aid of public groups, has enabled Catholic review boards to increase their picture approvals from 25 per cent in 1922 to 99 per cent last year.

### Discusses British Quota

Negation of the claim that elimination of block booking would bring film improvement, he declared, is seen in the English situation. Five years after adoption of the quota law designed to wipe out block selling, the Carnegie Foundation Commission found little improvement in quality and attributed that to the operation of the American Producers' Code. Meanwhile, he said, while admission prices had declined in this country, they had risen in England, although it was admitted, it could not be proved the increase was due to higher distribution expenses.

Outlining the problems of the Production Code Administration, Milliken testified its achievements would not have been possible without the cooperation of public groups and asserted that, in the last analysis, motion picture improvement, like the tariff, is a local problem in the solution of which club groups, public libraries, schools and churches should assume the leadership.

### Many Express Opposition

Representatives of a number of organizations; most of whom appeared without instructions from their groups, opposed enactment of the bill. Mrs. E. M. Barsham, Wilmington (Del.) Federation of Women's Clubs, asserted that block booking and blind selling have nothing to do with good or bad content of pictures and that improvement could be achieved only at the source of production.

A flat charge that "despite Mrs. Bannerman," P. T. A. members as a whole have no comprehension of the bill, was made by Mrs. James R. Horgan, Worcester (Mass.) P. T. A.

Mrs. S. A. Ellsworth, Worcester Motion Picture Board of Review, told the subcommittee that "every" undesirable picture shown in her city in the past four years was of independent production and had been sold singly and asserted that passage of the bill will not solve the child problem, while Mrs. Fred Stephenson, Springfield (Mass.) School Board, testified that school and organization classes in motion picture appreciation and better informed public opinion had materially elevated the level of pictures shown in that city, and that there was no disharmony between exhibitors and civic groups.

Steady improvement in pictures during the past 10 years was reported by Mrs. Charles W. Swift, Elmira, Motion Picture Council, who challenged the proponents's claims that various organizations were solidly behind the bill, declaring no small group could speak for the entire membership of a national association.

# Hollywood Preview

## "Bulldog Drummond's Secret Police"

(*Paramount*)

HOLLYWOOD, April 16.—Featuring the regular "Bulldog Drummond" series cast, John Howard, Heather Angel, H. B. Warner, Elizabeth Patterson, Reginald Denny and E. E. Clive, plus Forrester Harvey, Leo Carroll, David Clyde and Clyde Cook, this adventure of the suave, resourceful British detective is a stock blending of spooky melodrama and comedy.

Based on an H. C. McNeile story, "Temple Tower," Garrett Weston did the screenplay and James Hogan directed. In an effort to counterbalance the effects of the weird and exciting occurrences, the screen story includes a superabundance of irrelevant comedy. Thus, while Clive, Harvey and Howard account for some laughable moments, their antics in dialogue and characterizations detract noticeably from the meat of the story.

A legend that a treasure in gems is secreted in citadel-like "Temple Tower," again forces postponement of the often deferred marriage of Miss Angel to Howard. It is also the basis for three murders and for the comedy of errors that takes place. But as Denny and Clive mess things up for their mentor and Harvey adds to the confusion which baffles Warner, Howard always knows what to do, as he ferrets his way through a round of tortures, explosions and sudden death before he explodes the legend and cleans up the mystery.

Running time, 55 minutes. "G."* G. McC.

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*"G" denotes general classification.*

## Killing of Neely Bill Expected by Cassil

Frank Cassil, president of the Kansas-Missouri Theatres Association, returned to St. Joseph, Mo., over the weekend after expressing his belief that the Neely anti-block booking bill will not receive Senate committee approval.

Cassil, whose organization is affiliated with the M.P.T.O.A., opposed the bill at the Senate committee hearing in Washington. While he is opposed to the present system of block booking and blind selling, Cassil believes that the Neely plan would be unworkable and impractical. The best solution offered to date is the trade practice code with its cancellation provisions, he declares.

The K.M.T.A., which has 400 members in Kansas and western Missouri, has endorsed the code and favors early establishment of arbitration boards. He himself intends to file a complaint with the projected board in Kansas City, asking for reduction in clearance over his two St. Joseph theatres, which is now 146 days after the Dubinsky houses, with 10-cent and five-cent differentials in price.

## Held in Bank Night Case

MILWAUKEE, April 16.—Agnes Gerek and Theodore Lasky, her fiance, have been held by local police on warrants charging obtaining money under false pretenses in connection with the winning of a $500 Bank Night award at the Jeffris theatre in Janesville, Wis.

## New Allied Unit Is Set Up at Rochester

ROCHESTER, April 16.—Allied of New York has organized a Rochester unit. Temporary officers elected include: Max Fogel, chairman; Charles Tibbitts, secretary, and William Tishkoff, George Frank, Don Withington, grievance committee.

Fogel and Tishkoff will head the membership committee. E. Thornton Kelly, state executive secretary, presided. The unit will include exhibitors as far east as Phelps and Clifton Springs.

Others present were George and Ray Schmidt, Morris Zimmerman, Mitchell Lipsett, Mrs. Leah Irons, Harry Tishkoff, Albert and Carol Fenyvessy, Don Stevenson and Paul Field.

## Television May Go Into B'way Embassy

LONDON, April 16.—Baird's theatre television equipment may be installed in the Embassy Newsreel Theatre on Broadway as an attraction for World's Fair crowds, Isidore Ostrer said today. A second theatre may also be equipped.

The big screen televising sets are being shipped to New York next Saturday. Ian C. Javal, Baird commercial representative, and several technicians are sailing to complete negotiations and install the equipment.

W. F. Githens, president of Newsreel Theatres, operator of the Embassy, said no negotiations have been completed for installation of the Baird equipment in that house, but that the company was "interested."

## Turrou Starts Tour

Leon G. Turrou, former G-Man, is in New Haven today to start a speaking tour on "Confessions of a Nazi Spy" and his work as espionage investigator. He was technical adviser on the film. He will vist Hartford, Waterbury and Bridgeport this week.

# 'Darling' Hit In Seattle at $6,100 Gross

SEATTLE, April 16.—"Yes, My Darling Daughter" grossed a good $6,100 here to capture the lead, in a week of only fair business, despite mild weather. "Dodge City" and "Winner Take All" took $6,000 at the Orpheum, and "The Little Princess" and "Fast and Loose" drew $6,700 at the Fifth Avenue.

Estimated takings for the week ending April 14:

**"Love Affair" (RKO)**
**"The Great Man Votes" (M-G-M)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days. 2nd week. Gross: $3,800. (Average, $4,000)

**"The Little Princess" (20th-Fox)**
**"Fast and Loose" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $6,700. (Average, $7,000)

**"Yes, My Darling Daughter" (W. B.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days. Gross: $6,100. (Average, $4,000)

**"Dodge City" (W. B.)**
**"Winner Take All" (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 7 days. Gross: $6,000. (Average, $6,000)

**"Newsboy's Home" (Univ.)**
**"The Last Express" (Univ.)**
PALOMAR—(1,500) (15c-25c-35c-40c) 7 days. Vaudeville headed by Dove Sisters. Gross: $4,700. (Average, $5,000)

**"Three Smart Girls Grow Up" (Univ.)**
**"Society Smugglers" (Univ.)**
PARAMOUNT—(3,050) (30c-40c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)

## Australia Managers En Route for Parleys

Harry Hunter, Paramount manager in Australia, and Cecil Mason, Columbia's Australian manager, are scheduled to arrive at San Pedro today on the *Mariposa* for home office visits, their first in several years.

Ralph Clark, Warners' Australian manager; Clay V. Hake, 20th-Fox, and Bernard Freeman, M-G-M, have been here for several weeks conferring with home office officials on legislative and sales problems in the Antipodes. Hake left for the coast over the weekend and is scheduled to sail for Australia on the *Mariposa,* April 26.

John W. Hicks, Paramount foreign manager, leaves for the coast by train to participate in the new season production conferences now under way at the Paramount studio, and will confer with Hunter while there. The latter will go from Hollywood to his family home in Seattle. Hicks will return to New York at the end of the month with the home office executive group now at the studio and with them will attend the Omaha premiere of "Union Pacific" April 28.

## Urge Giveaways Ban At Cleveland Session

CLEVELAND, April 16.—Abolition of giveaways and elimination of newspaper copy on premiums was discussed by the Cleveland Motion Picture Exhibitors Association on Friday. The session also considered the elimination of Sunday duals and a plan to pass the state three per cent tax on theatres to the public. The latter would save exhibitors $150,000 annually, it was pointed out. The meeting recessed until Wednesday with no definite agreement arrived at on any of the questions under discussion.

# 'Dodge City' Los Angeles' $45,500 Hit

LOS ANGELES, April 16.—"Dodge City" did sensational business here, with a gross of $45,500 at two houses, $22,200 at the Warner Hollywood and $23,300 at the Warner Downtown.

Also very strong was the dual of "The Story of Vernon and Irene Castle" and "Blondie Meets the Boss," taking $12,500 at the Hillstreet and $13,700 at the Pantages.

Estimated takings for the week ending April 12:

**"Huckleberry Finn" (M-G-M)**
**"Burn 'Em Up O'Connor" (M-G-M)**
CHINESE—(2,500) (30c-75c) 7 days. Gross: $9,000. (Average, $12,500)
**"Prison Without Bars" (U. A.)**
4 STAR—(900) (40c-55c) 5 days. Gross: $3,700. (Average, $3,250)
**"The Story of Vernon and Irene Castle" (RKO)**
**"Blondie Meets the Boss" (Col.)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $12,500. (Average, $6,500)
**"Huckleberry Finn" (M-G-M)**
**"Burn 'Em Up O'Connor" (M-G-M)**
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $13,900. (Average, $14,000)
**"The Story of Vernon and Irene Castle" (RKO)**
**"Blondie Meets the Boss" (Col.)**
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $13,700. (Average, $7,000)
**"I'm from Missouri" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 5 days. Stage: F. & M. revue, Eddie Stanley. Gross: $7,000. (Average, $18,000)
**"Dodge City" (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $22,200. (Average, $14,000)
**"Dodge City" (W. B.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $23,300. (Average, $12,000)

# 'Midnight' Strong Leader in Detroit, Grossing $15,000

DETROIT, April 16.—Spring vacation helped theatres, with the Michigan taking $15,000 with "Midnight" and "On Trial." "The Little Princess" plus Arthur Treacher heading a stage show gave the Fox $22,000. In its second week, "Ice Follies" took $6,000 at the United Artists.

Estimated takings for the week ending April 13:

**"Three Smart Girls Grow Up" (Univ.)**
**"Saint Strikes Back" (RKO)**
ADAMS—(1,700) (15c-40c) 7 days, 2nd week, 2nd run. Gross: $6,000. (Average, $5,000)
**"The Little Princess" (20th-Fox)**
FOX—(5,000) (20c-65c) 7 days. Stage, Arthur Treacher, variety acts. Gross: $22,000. (Average, $20,000)
**"Midnight" (Para.)**
**"On Trial" (W. B.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $15,000. (Average, $10,000)
**"Never Say Die" (Para.)**
**"They Made Me a Criminal" (W. B.)**
PALMS-STATE—(3,000) (20c-50c) 7 days. Gross: $9,300. (Average, $5,000)
**"Ice Follies" (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days, 2nd week. Gross: $6,000. (Average, $10,000)

## *Child Test Finals Set*

Finals of the talented child contest which Uncle Don is conducting in behalf of 20th Century-Fox will be held April 27. United Airlines will fly the children to the coast as guests of the film company.

# *New York Previews*

## *"Double Crime in the Maginot Line"*

*(Tower Pictures)*

Today's headlines are made to order as exploitation background for this spy melodrama, and sure-fire ingredients add up to an absorbing action picture that is screen merchandise in any language.

The French War Office is said to have cooperated closely in making the film, the action taking place in and around the Maginot Line. The purpose presumably was to reassure the French people that if war comes their frontiers will be well protected. It also serves as a warning that the massive fort is invulnerable to espionage.

Based on a novel by Pierre Nord, the story involves as principals Captain Bruchot (Victor Francen) and his wife (Vera Korene), whose marital life is complicated because she is a German girl. Commander d'Espinac (Fernand Fabre), newly arrived at the fort, suspects espionage. On an inspection trip, he is machine gunned. The authorities suspect Captain Bruchot, but he is released and permitted to lay a trap. The action thereafter moves swiftly to the chase of the murderer as he attempts to escape to the German frontier and is trapped in a gun turret. The windup reveals him as one of the captain's trusted lieutenants who is a German spy, and, serving to explain her suspicious actions, a brother to the captain's wife.

Felix Gandera, producer and director, has invested the plot with well-sustained suspense which keeps one guessing as to the identity of the murderer. The action and English subtitles overcome the language barrier. Running time, 83 minutes. G*

AL FINESTONE

## *"Frontier Pony Express"*

*(Republic)*

Set in the exciting days of the fast-riding Pony Express and the intrigue of the Civil War, Republic's latest western is a well knit story of the midwestern frontier. Roy Rogers, as a pony express rider loyal to the Union, and Mary Hart, as a demure southern miss, are cast in the leading roles and offer performances which should enhance this team's popularity with action film fans.

There is plenty of opportunity for good riding shots, and Joseph Kane, who directed, makes the most of them. Quick changing of horses at relay stations, Union cavalry in pursuit of mail bandits and fake Confederate raids offer lots of action and the pony express angle should make interesting exploitation possible.

Roy meets Mary after saving her from a runaway stagecoach. They become friendly, but her brother, a Confederate spy, assists in a raid on the mails. Roy suspects Mary, but discovers later that she did not know of her brother's activities. Raymond Hatton, as Horseshoe, and Monte Blue, as a Cherokee Indian, provide the comedy.

Running time, 58 minutes. "G."*

ED GREIF

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**"G" denotes general classification.*

# 'Castles' Is Omaha Hit, Draws $7,300

OMAHA, April 16.—Leader here was "The Story of Vernon and Irene Castle," taking a big $7,300 at the Brandeis. "Midnight" and "Woman Doctor" took a good $8,100 at the Omaha, and "The Little Princess" and "Boy Trouble" did $9,700 at the Orpheum.

Estimated takings for the week ending April 12-13:

**"The Story of Vernon and Irene Castle" (RKO)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $7,300. (Average, $4,000)
**"Midnight" (Para.)**
**"Woman Doctor" (Rep.)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $8,100. (Average, $6,000)
**"The Little Princess" (20th-Fox)**
**"Boy Trouble" (Para.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $9,700. (Average, $7,600)

## *Jane Wyman Signed*

HOLLYWOOD, April 16.—Jane Wyman, featured player for Warners, has been signed to a new long term contract.

# *'Princess' Grosses $9,000 in Providence*

PROVIDENCE, April 16.—Shirley Temple's "Little Princess," dualled with "Winner Take All" at the Majestic led the way in an otherwise quiet week with a strong $9,000.

Estimated takings for the week ending April 12-13:

**"The Little Princess" (20th-Fox)**
**"Winner Take All" (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $7,000)
**"Love Affair" (RKO)**
**"The Flying Irishman" (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $6,000)
**"Broadway Serenade" (M-G-M)**
**"First Offenders" (Col.)**
LOEW'S STATE—(3,239) (25c-35c-50c) 7 days. Gross: $9,500. (Average, $11,000)
**"I'm from Missouri" (Para.)**
**"King of Chinatown" (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $6,000)
**"Blackwell's Island" (W. B.)**
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show. Gross: $6,000. (Average, $6,500)
**"Fast and Loose" (M-G-M)**
**"Mystery Plane" (Mono.)**
CARLTON—(1,526) (25c-35c-50c) 7 days. Gross: $2,000. (Average, $3,500)

# 'Castles' Is Denver Best With $12,000

DENVER, April 16.—"The Story of Vernon and Irene Castle" was the week's leader here, with a gross of $12,000 at the Orpheum, on a [illegible] with "Within the Law." "I'm from Missouri" at the Denham was strong with $9,000.

"The Little Princess" was good for $9,000 at the Denver.

Estimated takings for the week ending April 12:

**"You Can't Cheat an Honest Man" (Univ.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
**"Sergeant Madden" (M-G-M)**
**"Next Time I Marry" (RKO)**
BROADWAY—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
**"I'm From Missouri" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days Gross: $9,000. (Average, $6,000)
**"The Little Princess" (20th-Fox)**
DENVER—(2,525) (25c-40c) 7 days. Gross: $9,000. (Average, $8,500)
**"Story of Vernon and Irene Castle" (RKO)**
**"Within the Law" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $12,000. (Average, $8,000)
**"King of the Turf" (U. A.)**
**"Romance of the Redwoods" (Col.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)
**"Yes, My Darling Daughter" (F. N.)**
**"Society Smugglers" (Univ.)**
RIALTO—(878) (25c-40c) 7 days, "Daughter" 3rd week. Gross: $2,250. (Average, $1,750)

# 'Dodge' $15,500 Cincinnati Lead

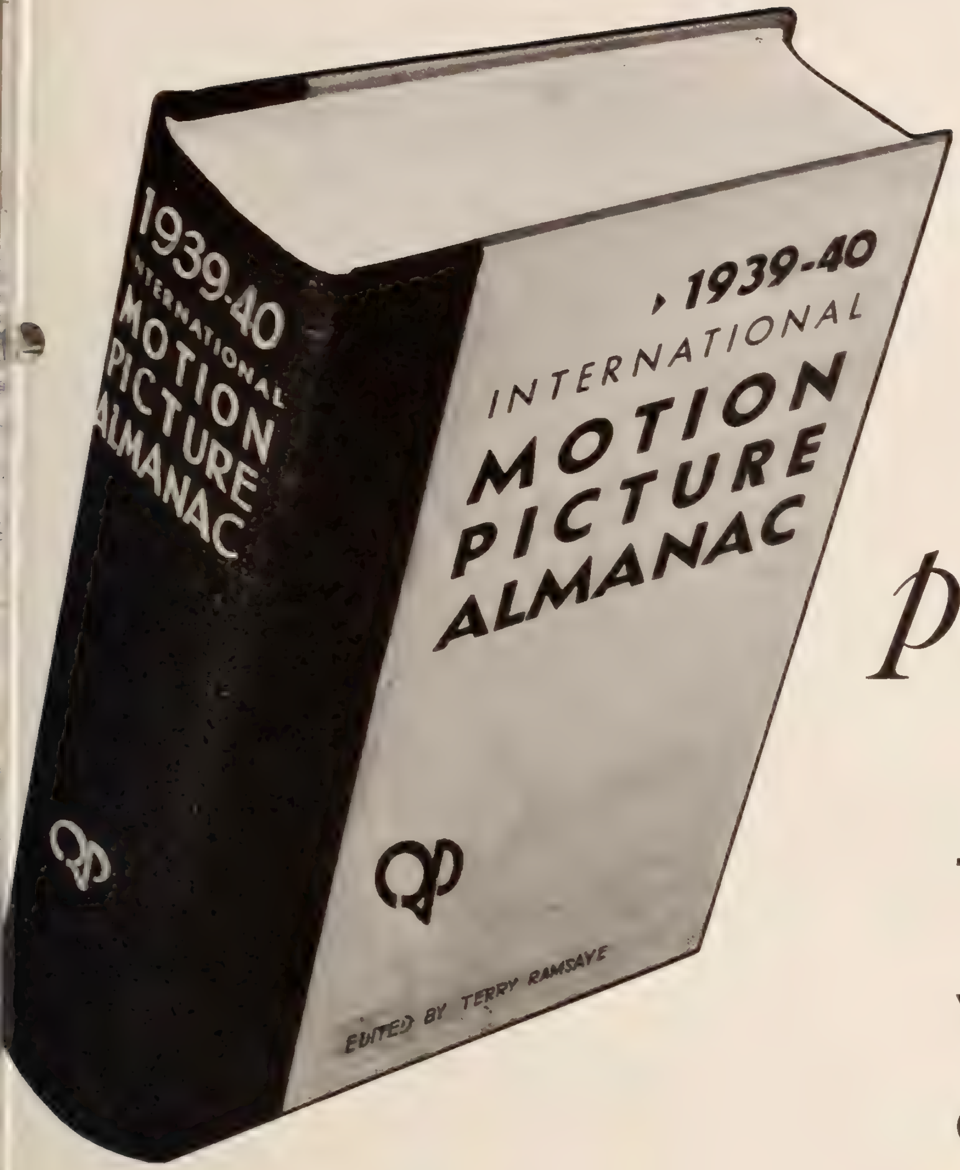
CINCINNATI, April 16.—"The Story of Vernon and Irene Castle" did a strong $10,000 at the RKO Shubert. "Dodge City" at the RKO Albee was high with $15,500, and "Sergeant Madden" gave Keith's $6,000.

Estimated takings for the week ending April 13-15:

**"Dodge City" (W. B.)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $15,500. (Average, $12,000)
**"Broadway Serenade" (M-G-M)**
RKO PALACE—(1,000) (35c-42c) 7 days. Gross: $8,700. (Adventure, $10,000)
**"The Story of Vernon & Irene Castle" (RKO**
RKO SHUBERT—(2,150), (35c-42c) 7 days. Gross: $10,000. (Average, $10,000)
**"Three Smart Girls Grow Up" (Univ.)**
RKO CAPITOL—(2,000) (34c-42c) 7 days, 3rd week. Gross: $4,200. (Average, $6,500)
**"Blondie Meets the Boss" (Col.)**
RKO LYRIC—(1,400) (35c-42c) 7 days. Gross: $4,100. (Average, $5,000)
**"Wife, Husband and Friend" (20th-Fox)**
RKO GRAND—(1,200) (25c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,750)
**"Let Us Live" (Col.)**
**"Mexicala Rose" (Republic)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,450. (Average, $1,500)
**"Comet Over Broadway" (W. B.)**
**"My Son Is a Criminal" (Col.)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $950. (Average, $950)
**"Sergeant Madden" (M-G-M)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $6,000. (Average, $6,000)

## *Accountants' Union Circularizes Offices*

American Federation of Bookkeepers, Stenographers & Accountants, Local 20940, which recently signed contracts with Universal and Big U Film Exchange, is circularizing office employes in all home offices and exchanges here. A meeting is planned within the next three weeks at which an organizational drive will be mapped. The union will hold its annual dance at Mecca Temple, April 22.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**QUIGLEY PUBLICATIONS**
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## Elliott Roosevelt Resigns as Head of Hearst Radio, Inc.

Fort Worth, Tex., April 16.—Elliott Roosevelt, son of the President, has resigned as president and director of Hearst Radio, Inc., effective yesterday. He gave pressure of other business as his reason.

Roosevelt joined the Hearst papers in 1933 as aviation editor. In 1935 he was made vice-president of the newly formed Hearst Radio, Inc., after purchase by Hearst of four stations in the network of the Southwest Broadcasting Co.: WACO, Waco; KNOW, Austin; KTA, San Antonio, and KOMA, Oklahoma City.

In 1938 Roosevelt was made president of the entire circuit which then included KEHE, Los Angeles, KYA, San Francisco; WCAE, Pittsburgh; WISN, Wilwaukee; WBAL, Baltimore, and WINS, New York. The net now lists only WBAL, WCAE, KNOW, and KTSA.

Last September Roosevelt organized the Texas State Network of 23 stations. He will continue as its president.

## *King's First Canada Broadcast on May 15*

Montreal, April 16.—First broadcast by the King in Canada will take place at the luncheon given Their Majesties by the Dominion Government at the Chateau Frontenac in Quebec on the day of their arrival, May 15. The unveiling of the National War Memorial by the King will be broadcast from Ottawa at 3 P. M. May 18 and another will follow from that city when the colors are trooped on Parliament Hill May 20.

The broadcasting climax of the tour will be the Empire Day celebration aired from Winnipeg, May 24, when George VI will speak to all peoples of the British Empire. CBC will pipe the majority of the programs to NBC, CBS and MBS in the United States and to all broadcasting organizations of the British Empire.

## *CEA, KRS Television Deputation Delayed*

London, April 16.—British Postmaster General has informed the Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) that he will not receive their joint deputation to discuss television until he has consulted the television advisory committee.

Isidore Ostrer, Gaumont British head, definitely has arranged to screen the British Broadcasting Corp. telecast of the Derby at Epsom at the Central in London and one suburban film house, probably the Lewisham.

### *Seldes to London Soon*

Gilbert Seldes, CBS television program head, will leave for England April 21 with Donald Hunter Munro, to study British Broadcasting Corp. television developments. Munro, television production manager of BBC, came to America last month to assist CBS in television production. They will return here May 12 and following another month's stay at CBS, Munro will return permanently to BBC.

# *Radio Personals*

Major Lenox R. Lohr, president of NBC, returns today from Chicago, where on Saturday he attended the dedication of the Rosenwald Museum of Science and Industry, of which he is a director. . . . Paul Kennedy, radio editor of the *Cincinnati Post,* in town for a week to conduct his column from Manhattan. . . . Bert Lown goes into the New Yorker as the band of the week on April 23.

+

Leonard Hole, CBS director of program service department, has been appointed manager of the network's television operations, effective this week. He will directly assist Albert Seldes, handling administrative and coordinative details involved in actual television operations. Hole's successor in program service is Francis C. Barton, Jr., formerly Hole's assistant.

## *Liggett & Myers Get Amos 'n' Andy Time*

Liggett & Myers Tobacco Co. has concluded a deal for time on NBC for a nightly 15-minute period on the NBC-Red network, 7 to 7:15 P. M. This is the period occupied for almost a decade by Amos 'n' Andy, who recently switched to CBS.

Program details for the new Liggett & Myer series are not available. Company at present has an hour on CBS, and it is not known whether the present CBS schedule will be retained or reduced. Newell-Emmett is the agency.

Meanwhile, program details for the Sensation cigarette program, recently announced, have been set. Beginning July 3, Larry Clinton's band will be heard in a half-hour period on the Red. Program will be similar in format to Benny Goodman's for Camels and Tommy Dorsey's for Raleigh.

### *AP to See Television*

A feature of the Associated Press convention this April will be a special television showing that NBC is now setting up for the editors. Convention is annually held at the Waldorf Astoria, but for the television display NBC will set up receivers in the city room of the press association, from where it will be viewed by a special assemblage of editors and publishers.

## *FCC Calendar*

Washington, April 16.—Federal Communications Commission has announced its hearings on broadcasting applications during the current week would be as follows:

April 18: Applications of WJBW, New Orleans, for extension of time from specified hours to unlimited, and Spartanburg Advertising Co. for a new 1,370-kilocycle station at Spartanburg, S. C., with 100 watts night, 250 watts day.

### *Cooperation*

**Network rivalries were forgotten Friday night when the new antenna tower of the CBS station in Chicago, WBBM, collapsed, silencing the station. Sid Strotz, manager of NBC's central division, immediately offered the use of the WENR transmitter to H. Leslie Atlass, CBS vice-president, who accepted.**

## Calls Broadcasting Television Problem

Television broadcasting, rather than television reception, is the chief problem confronting the embryonic industry, in the opinion of Sayre M. Ramsdell, vice-president of Philco Radio and Television Corp.

"Television, from the point of view of reception and receivers, is ready to assume its role in the industry," he states. "However, the problems of broadcasting television have been slower in solution and the progress in the broadcasting end has fallen behind that attained in reception. Television receivers can be sold on a nationwide basis, but as yet, television broadcasting cannot follow them and is limited to a handful of metropolitan centers. Television as an industry must wait for the broadcasters."

Philco's new line of television receivers will be introduced at the company's national convention at French Lick Springs, May 15-19.

## *NBC Gives Roosevelt Address in German*

Following President Roosevelt's Pan American broadcast on Friday, short-waved to Europe, the Postes Telegraphes and Telephones agency, official French broadcasting setup, called NBC and requested a German translation of the talk for a rebroadcast from Paris. Less than an hour after the call was received, NBC announcers began reading the German translation to France. This was followed immediately by a French version and an Italian version which, in that order, immediately were retransmitted from the Eifel Tower to all parts of Europe.

The translations were presented by Major John H. Marsching, Natalia Danesi Murray and Richard A. Thomas, NBC international division announcers.

### *Hearst Radio Sued*

Libel suit against Hearst Radio, Inc., has been filed in the N. Y. Supreme Court by Susanna Weichbrodt, who claims that a news broadcast in March, 1938 over WINS depicted her as an "illegal bride" in describing a separation suit brought by the plaintiff against her husband. Plaintiff will apply for an order to examine officials of WINS.

### *Radio Bill Reported Out*

Albany, April 16.—Coudert bill exempting radio broadcasters from libel suits has been reported out by the Senate General Laws Committee and has been put on by the General Orders calendar. The companion Moffat bill has been passed by the Assembly.

# Banner LINES

Television, it seems, has seriously impaired the sale of regular radio receivers, and a number of manufacturers have asked th networks to quiet somewhat th ballyhoo about the imminence of th art. Plenty of folks believe it [illegible] ready here and are holding up [illegible] radio set orders accordingly.

▼

*Again about television, it's provin expensive. British Broadcasting Cor has reported it spent* $1,750,000 *o television experimentation last yea NBC currently is spending about a much, while CBS's television costs ar just getting under way, with* $500,000 *just invested in a transmitter.*

▼

**The King and Queen of Englan will speak into especially mad gold microphones adorned with th Royal insignia when they broadcast over Canadian Broadcas Corp. facilities. No special mike will be provided them, however in this country, NBC, CBS an Mutual planning to use none bu standard equipment.**

▼

We like the Parkyakarkus crack that Eddie Cantor read "My Son, M Son," and now is writing "M Daughter, My Daughter, My Daughter, My Daughter, My Daughter."

▼

*T. W. Radio Productions is preparing to announce a new transcribed series titled "Aireel,"—a newsreel o the air idea. It may have a definite tieup with one of the picture newsreels, plans in that direction now being formulated. It will be a twice weekly quarter-hour show, with world news, news for the ladies, oddities, and sports.*

▼

**Bob Hope is feuding with Jerry Colonna and has cut down Colonna's stint to a point where it is practically non-existent. Matter of fact, Colonna's act was placed so late in a recent program that he was cut off the air in the middle of his number.**

▼

Phil Cook on his WABC morning program daily salutes a community. He's just received a request to honor a town near Webster, Mass., that wants to be saluted. It's Lake Chargogagoggama.

▼

*Recently the column reported that the "Goldberg" strip might fade from the air due to receipt of numbers of letters from bigots who resented the strip because of its Jewish theme. Since then we've had a number of talks with Gertrude Berg and members of the agency and client, and we're glad to report that the column was wrong. Save for the fact that the transcribed version is to go off the air, the program will continue as it deserves.*

▼

After the showing made by Kate Smith this season, there's no doubt that the lady will be back in the fall in the same Thursday night spot. Next season's program will be the same as the current one, save that the Aldrich Family skits may not reappear in it if Ezra Stone and company make good in the Jell-o spot.

—Jack Banner

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15. NO. 74 NEW YORK, TUESDAY, APRIL 18, 1939 TEN CENTS

# chedule for Telecast Set By NBC-RCA

## ilm Subjects, News of Fair on Program

The first NBC-RCA television hedule calls for a substantial amount film programs. This is additional news events from the World's Fair, d "live" programs produced by the mpanies. The program will be unched April 30, at 12:30 p.m. It ill run 3½ hours.

C. W. Farrier, NBC's television codinator, informed MOTION PICTURE AILY that the schedule will comprise mmercial films, and shorts subjects. ecause of the newness of the television industry features are too long for clusion.

There will be no newsreel clips in e television film schedule, Farrier id.

Farrier estimated that the cost of e television schedule to NBC will be proximately $5,000 to $6,000 per ek.

Farrier stated that practically "all ajor studios" will provide the shorts hich NBC will televise. He said that e rental fees were nominal—"$10 to 5 a subject"—but that NBC natural- expects to pay much more for films hen the television "circulation" ows.

Asked why newsreels do not figure the television schedule, Farrier exained that the newsreel companies an extensive coverage of the Fair's

(Continued on page 4)

## Bell' Will Be Held Fourth Roxy Week

"Alexander Graham Bell" will be ld for a fourth week at the Roxy, ginning Friday. Up to Sunday night, 5,000 persons had seen the film and e weekend gross was estimated at 23,000. "Return of the Cisco Kid" llows on April 28, with "Rose of Vashington Square" due on May 5.

"Wuthering Heights" started strong the Rivoli, doing an estimated $23,- 00 over the weekend. "Prison Withut Bars" ended its week at the lobe with an estimated $14,000. "The hallenge" (Film Alliance) has been oked to follow "Prison Without ars." "Story of Vernon and Irene astle" did an estimated $62,000 over e weekend at the Music Hall. Dark Victory" starts there Thursay. "Midnight" garnered an estiated $17,500 on Saturday and Sunay and appears headed for $46,000 r its second week at the Paraount.

### Approve 'Nazi Spy'

New York State censor board has passed Warners' "Confessions of a Nazi Spy" without a single cut or suggested change.

The film will open at the Strand on Broadway on April 28.

# Ascap Scores On 2 Appeals To High Court

WASHINGTON, April 17.—Without ruling on the constitutionality of either the Florida or Washington anti-Ascap legislation, the U. S. Supreme Court today sustained the music licensing society in its preliminary opposition to the state laws.

Both cases were returned to the lower courts with instructions to take further evidence. Thus, constitutionality of the state anti-Ascap laws will not be finally determined until the cases come before the Supreme Court again and on that issue.

The Washington case involved an appeal by Ascap from the refusal of a three-judge Federal statutory court to rule on the music society's application for an injunction. The lower court held it lacked jurisdiction in the case because it had not been shown that the $3,000 minimum consideration was involved. The Supreme Court directed the lower court to receive evidence to determine the point. The court's decision was written by Associate Justice Stanley Reed.

**Florida's Appeal Rejected**

In the Florida case, the state appealed from a Federal statutory court

(Continued on page 3)

# Distributors Now Focusing Attention On Latin America

HOLLYWOOD, April 17.—"Latin America appears to be the market our American distributors are seeking to offset the restricted markets in other parts of the world," Nathan D. Golden, chief of the motion picture division of the U. S. Bureau of Foreign and Domestic Commerce, told the opening session of the spring convention of the Society of Motion Picture Engineers at the Roosevelt Hotel today.

Golden cited figures from his recent report which indicated that American domination of foreign film markets had fallen off from 70 per cent to 65 in the past year. Latin American production increased to 130 features in 1938, according to Golden, a rise of 40 over the previous year. "Mexico was the largest producer with 60 feature length pictures in 1938. Argentina jumped its production to 50 features from 30 in 1937. Peru increased from two in 1937 to 11 in 1938. Brazil produced four, Cuba and Uruguay two each and Venezuela one."

**Mayor Gives Welcome**

An address of welcome was delivered at the get-together luncheon by Mayor Fletcher Bowron. Guests included Lester Cowan, Universal producer, Sinclair Lewis, James Hilton, Warner writer, and William K. Howard, director.

E. A. Williford, president, welcomed the delegates. Papers read were: "Safekeeping the Picture Industry," by K. W. Keene, Underwriters' Laboratories; "Technicolor Field Service," by G. Giroux, of Technicolor; "The Polyrhetor — A 150-Channel Film Reproducer," by G. T. Stanton, of Erpi, and F. R. Marion and D. V. Water, of Western Electric; "Further

(Continued on page 3)

# Neely Hearing Ends; Fight in Senate Looms

## Downey Threatens Battle If Bill Is Reported

WASHINGTON, April 17.—Two weeks of hearings on the Neely block booking bill were completed today with Senator Neely present as the sole representative of the subcommittee in charge of the measure with final argument by leaders of groups for and against it following the appearance of Senator Sheridan Downey of California.

Threatening to lead a fight against the bill on the Senate floor should it be reported favorably, Downey told Neely that his measure would not improve the quality of films.

**Plea for Industry**

"Let me suggest that if movies at the present time are improving from the standpoint of standards and morals, should not serious consideration be given to leaving it in their hands?" he asked Neely. "It is tremendously difficult for any Government to impose censorship on art and secure a better product by that censorship."

Summing up for the opposition to the bill, C. C. Pettijohn declared "community selection" has different meanings to different factions among the proponents, to exhibitors it being those pictures most popular with patrons, to civic groups those "they think people

(Continued on page 3)

# Strike Threat Holds, IATSE Leader Says

HOLLYWOOD, April 17.—John Gatelee, international representative of the I. A. T. S .E., today warned producers that the threat of a general strike had not been removed. Gatelee said:

"We are expecting word from International President Browne at any moment calling out projectionists and members of I. A. T. S. E. in front of houses as well."

Indications were that international leaders and Studio Technicians Local 37 officers engaged in dispute over control of the local would smooth out difficulties amicably, as the district attorney's office postponed tomorrow's grand jury probe of alleged labor racketeering.

Local and international officers were to meet at 10:30 P. M. tonight in another effort to conciliate differences.

# English Technicians Ask Increases in Film Quotas

LONDON, April 17.—Association of Cine Technicians at its annual conference yesterday demanded increases in the quota and abolition of the triple quota clauses in the Films Act.

The meeting favorably discussed the ideas for a film bank, with provisional safeguards for financial expenditure and personnel. The secrecy of the activities of the Film Council was deplored, and periodical reports from that body were demanded. A report on cooperative production by George H. Elvin, general secretary, indicated that technicians had not received a single penny on any film.

The Films Act was attacked by Anthony Asquith, president, claiming it was no solution to force foreign companies to make or acquire weak films. He said that of 103 films registered during the first full year of the Act, only 25 were made by British interests.

The conference demanded a Democratic stand against foreign aggression, declaring the present situation and the uncertainty was killing enterprise.

# 1,200 Will Attend Variety Club Meet

Detroit, April 17—About 1,200 exhibitors and production and distribution executives are expected to attend the annual convention of National Variety Clubs opening here on April 27. Advance hotel reservations for the three-day session are setting a new high.

Three governors have accepted invitations to the banquet. They are Hyle of Wisconsin, Bricker of Ohio and James of Pennsylvania. Mayor Kelly of Chicago and Edgar Guest, poet, are others who will attend. The latter will read a creed he has written for the Variety Club.

Among the hosts will be the staff of Henry Ford's Greenfield Village and executives of several motor plants. Civic and industrial organizations will aid in entertaining delegates.

### Pittsburgh to Send 20

Pittsburgh, April 17. — Variety Club tent 1 will send 20 delegates to national Variety convention April 27-30 in Detroit. National representatives will be Harry Kalmine of Warner Bros. and Harold Lund of Ross Federal; alternates, Mark Goldman of Monogram and Dr. A. I. Wise. Others to attend will be Chief Barker Ira Cohn of Fox, Ray Downey, I. Elmer Ecker, M. S. England, Harry Feldman, Archie Fineman, Harry Feinstein, Mike Gallagher, C. C. Kellenberg, Larry Katz, C. J. Latta, Joseph Misrach, Art Morrone, Lew Lefton, Jules Lapidus, Harry Seed, Brian McDonald, Jake Soltz, M. N. Shapiro, and Al Weiblinger.

## *Labor Board Hears Managers' Petition*

Informal hearings before the N. Y. State Labor Relations Board were held yesterday on the petition of the film division of the Theatrical Managers, Agents & Treasurers' Union to be declared the collective bargaining agency for managers, cashiers and assistants in the Rugoff & Becker circuit and Raybond Theatres.

The union claims a majority of the employes within its jurisdiction. No agreement was reached and a formal hearing may be set later this week. Another informal hearing on the Keyburn circuit will be held today.

## *B&K Contempt Suit May Go to Master*

Chicago, April 17.—There is a possibility of the Government's case against Balaban & Katz charging criminal contempt being referred to a Master in Chancery. Judge Woodward suggests attorneys on both sides discuss whether records be handed over to special examiners or whether the case should be referred to a master in chancery for hearing.

## *Patent Suit Is Filed*

Suit charging infringement of "a film processing device" patented in March, 1939, was filed yesterday in the U. S. District Court by Fink-Roselieve Co., Inc., against the Camera House, Inc. Plaintiff asked for an injunction, accounting of profits and judgment for damages, describing its patent as a "device for developing, fixing and treating lengths of photographic film."

# *Purely Personal*

Nicholas M. Schenck, president of Loew's, returned yesterday from the coast where he spent a week. Leopold Friedman, company attorney, who accompanied him west, is vacationing for two weeks.

•

Wesley Ruggles, recently signed by Columbia on a combination producer-director contract, is in New York from the coast and will sail on a European vacation soon.

•

Robert E. Sherwood, president of the Dramatists' Guild, sails Friday for London on the *Queen Mary*. He has completed the film version of "Abe Lincoln in Illinois."

•

Charles MacArthur and his wife, Helen Hayes, attended a showing of "Wuthering Heights" last night at the Rivoli, following their return from Jamaica.

•

William Saal, Republic special representative, arrives today from St. Louis to handle the opening of "Man of Conquest" at the Capitol April 27.

•

E. J. Smith, general sales manager of Imperial, has left on a trip to exchanges in Washington, Charlotte, Atlanta and New Orleans.

•

Norbert Lusk, former editor of *Picture Play*, is en route from Naples on the *Rex* after a survey of film conditions in Europe.

•

Edward Aaron, assistant to William F. Rodgers, M-G-M general sales manager, has returned from a two-week vacation.

•

Dave Whalen of Republic's publicity staff is in Richmond arranging the "Man of Conquest" opening at the Colonial on Friday.

•

Evelyn Gerstein left yesterday for Boston, in advance of the opening of "Wuthering Heights" April 28 at Loew's State.

•

Morris Helprin, Alexander Korda's American advertising and publicity representative, has returned from England.

•

P. E. Essick of the Scoville, Essick & Rapf circuit in Cleveland, has returned from a trip to Florida.

•

Irving Ludwig, manager of the Eighth St. Playhouse, is spending a few days in Washington.

•

Herschel Stuart is now with Fox West Coast theatres in Salt Lake City.

•

Spencer Tracy has arrived in New York from the coast on a vacation trip.

Sam Sax, Vitaphone production head, arrived from the coast yesterday after conferences with Jack Warner, H. M. Warner and Hal Wallis at the studio. Sax sails Friday to take up his new duties as head of the Warner Teddington studio in England.

•

Herbert Rosener, foreign language theatre operator, has left San Francisco for two weeks at his City Theatre, Cleveland.

•

Luise Rainer will make her London stage debut in "Behold the Bride," from a play by Jacques Deval.

•

Nestor Auth, formerly with Loew's in Pittsburgh, has been named assistant manager at the Bijou, New Haven.

•

C. V. Hake, 20th Century-Fox managing director in Australia, leaves today for the coast en route to Sydney.

•

Robert Aisner, president of Heraut Films Corp., will return today from abroad on the *Ile de France*.

•

James Roosevelt, vice-president of Samuel Goldwyn, Inc., has returned to London from Brussels.

•

A. G. Doyle, 20th Century-Fox head in Japan, is due on the coast April 30 en route to New York.

•

Jules Levy, general sales manager of RKO, is in San Francisco for conferences at the exchange.

•

George Eisele is assisting Edgar Hollander, new ad sales manager at 20th Century-Fox.

•

Charles C. Moskowitz, executive operator of Loew's Theatres, left for Florida on Saturday.

•

George LeWitt, theatre operator of Plainville, Conn., is on a West Indies cruise.

•

Mr. and Mrs. William Brandt left yesterday for a 10-day cruise to Bermuda.

•

John Findlay of the Westerly, New Haven, is on a two-week vacation.

•

Robert Perkins, Warner attorney, is out of town.

•

Alice Faye arrives today from the coast by boat.

•

Shirley Temple will be 10 years old on April 23.

•

Howard Dietz is back from Bermuda.

## *Paul Graetz Arrives*

Paul Graetz, head of an international distributing organization for French films, arrives tonight on the *Ile de France*, as well as Jean Sablon, French radio singer. Roy W. Howard, head of Scripps-Howard newspapers, is also arriving.

## *Johnston Due Today*

W. Ray Johnston, Monogram president, returns from the coast today. He made several stops enroute to inspect conditions in the midwest. The George W. Weeks drive began yesterday and will extend to the end of the week. Lloyd Lind, assistant to Weeks, is handling the drive.

### *Extra Show*

**Judy Garland, who is at Loew's State this week, is proving a real trouper, in the opinion of Loew executives. The other night, while "barnstorming" some of the circuit's houses, she made a 10-minute visit to Loew's Jersey City Theatre. About 1,500 persons were jammed in the lobby and couldn't get in. Learning of the disappointment of the crowd in the lobby, she repeated her repertoire to the standees from a foyer balcony.**

## *Regents View Revised Version of 'Ecstasy'*

A revised version of "Ecstasy" and the original version of "Sunset Murder Case" were screened before a committee of the N. Y. Board of Regents in the State Office Building yesterday. Eureka Productions and Grand National are appealing from decisions by Irwin Esmond, chief censor, that the films are objectionable.

"Sunset Murder Case," formerly called "Sunset Strip Case" was granted a seal when deletions of a dance by Sally Rand were made. Later, G. N. returned the seal and applied for approval for the original.

"Ecstasy" was revised. Henry Pearlman represented Eureka and George Blake represented G. N. The committee, which consisted of George J. Ryan, Gordon Knox Bell and Susan Brandeis, will report their recommendation to the board Friday, at which time a final decision will be made.

## *306 Pickets Cine Roma*

Pickets from Local 306 of the Operators' Union, were placed in front of the Cine Roma yesterday in protest against the dismissal of the 306 projectionist and the hiring of a member of Empire State Operators' Union instead. Picketing was also begun by the M. P. Division of the Theatrical Managers, Agents & Treasurers Union, and Stagehands Union, Local 1. The house, which plays Italian language films, was reported to have changed hands on Saturday.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# Neely Hearing Ends; Senate Battle Looms

(Continued from page 1)

should see" and to the general public "any picture it wants to see."

Leading producing companies "have recognized their responsibility and have made steady and continuous progress by the development of a definite written code of standards of production and an efficient, effective administrative agency to apply this code to every picture produced in their studios," Pettijohn asserted.

The Neely bill, he continued, would make it impossible for independent producers to stay in business. It would tend to monopolize business in the hands of a very few large companies, and would destroy the option to cancel, and selective contracts.

### Cites Code Acceptance

"Leading motion picture companies have agreed to a trade practice code," he argued. "This code offers to exhibitors a wider cancellation, without payment therefor, of pictures bought in groups."

The proposed measure is a "compromise" with the established practices of the industry, Mrs. Mary T. Bannerman said in her final argument for the Motion Picture Research Council. The ideal law, she said, would require the review and approval of pictures by local groups before their public showing, but this is not insisted upon because it would "tie up the producers' capital," she said.

In a bitter personal attack on various witnesses appearing in opposition to the bill, Miss Catherine Lyford of the Massachusetts Civic League declared the "monopolistic stranglehold of the industry" throttles community choice of films.

### Myers Offers Rebuttal

Abram F. Myers submitted a 15,000-word statement in rebuttal for Allied, only a part of which he read because of lack of time. Much of his argument was devoted to the trade practice negotiations, in explanation of Allied's position on the proposed agreement, declaring that while independents were hopeful of relief, they were not "interested in any program which had for its purpose merely the hindering of the Government in the prosecution of its suit or the embarrassing of public groups sponsoring the Neely bill."

The proposals are purely voluntary and are not binding on the distributors, he said, and while some provisions, such as the nonforcing of shorts and newsreels and the discontinuance of score charges, are good and there is hope that an acceptable arbitration system will be worked out "to ease the strain of future conflicts," the proposals "in their present form are not a fair substitute for the Neely bill or for the Government suit."

### Suggests Amendment

To eliminate any possible hardships under the Neely Bill the Allied head suggested section four be amended to require an "accurate" rather than a "complete and true" synopsis, which shall include a "general" outline of the story and descriptions of the principal characters, instead of "incidents and scenes depicted," so as to provide information regarding the "type and contents" of a film and the "manner of treatment" of questionable subject matter. "These amendments meet the reasonable criticisms of the opponents of the Bill," he contended.

Summing up as the hearing concluded, Myers declared: "No new points have been developed by the opponents which should deter this committee from repeating its action in 1936 and 1938 in reporting the bill favorably. The only convincing attack was that made on Section Four and these objections can be met by the amendments proposed," and "despite the efforts to establish opposition to the bill on the part of public groups and independent exhibitors, it has been revealed that this opposition comes from one source and one source alone—the 'Big Eight,' united through the Hays Association," he charged.

## *Ascap Scores on Two High Court Appeals*

(Continued from page 1)

decision granting Ascap an injunction restraining state officials from enforcing the law. The Supreme Court denied the state's appeal, and affirmed the lower court's action.

### Injunction Upheld

However, while the court held that the Florida tribunal had acted wisely in granting the injunction against enforcement of the state law it approved the lower court's refusal to dismiss the bill of complaint filed by the state. In passing, the court found that the minimum Federal jurisdictional amount of $3,000, which was at issue in the Washington case, had been proven by Ascap in the Florida controversy. The decision was unanimous.

Approving the granting of the injunction to Ascap, Justice Reed observed that the lower court's action was proper because "great damage would result" otherwise, and "there was grave doubt of the constitutionality of the Act." The issues involved, he said, are so great as to make desirable a full study of the entire matter.

### Black Dissents

Associate Justice Hugo Black dissented from the Washington decision. The recently seated Justice Felix Frankfurter took no part in the proceedings. The Washington case has been in litigation for almost two years and both cases were heard by the high court during January.

Justice Black criticized Ascap for not waiting to bring suit to determine the constitutionality of the state laws after they were enforced and scored the society as a "combination which fixes prices through a self-perpetuating board" and said its annual fees are "monopolistically fixed."

## *Morros Incorporates*

Hollywood, April 17.—Boris Morros Productions, Inc., formed by the former Paramount music department head to produce eight remakes in English of French pictures, today filed incorporation papers at Sacramento listing Morros as president, Samuel Rheiner as vice president and treasurer, and Herbert Silverberg as secretary.

## *Katzman Signs Dunn*

Hollywood, April 17.—Sam Katzman today signed James Dunn to a contract to star in eight Peter B. Kyne stories for Victory Productions.

## *Einfeld View Basis Of Gannett Ad Copy*

**S. Charles Einfeld's recent statement on the importance of newspaper advertising is the basis of large institutional ads in 15 newspapers of the Gannett chain.**

**The ad calls attention to the industry as "a highly competitive business," and quotes from the Warner advertising and publicity director's address before the recent sales convention of the company. Einfeld at the time said that the company's experience over many years has convinced it that newspapers are the most valuable medium for film advertising and that as a result 98 per cent of the new season's ad budget will be invested in newspaper space.**

## 20th-Fox Board to Be Renamed Today

Directors of 20th Century-Fox are scheduled for reelection today at the annual stockholders' meeting, which will be held at the home office at 2 o'clock.

Directors are: H. Donald Campbell, John R. Dillon, W. J. Eadie, Felix A. Jenkins, S. R. Kent, Daniel O. Hastings, W. C. Michel, W. P. Philips, Hermann G. Place, Seton Porter, Joseph M. Schenck and Sydney Towell.

The directors are to meet later and reelect the following officers: Joseph M. Schenck, chairman of the board; Sidney R. Kent, president; W. C. Michel, executive vice-president; Darryl F. Zanuck, vice-president; William Goetz, vice-persident; Sydney Towell, treasurer; W. J. Eadie, comptroller and assistant treasurer; Felix A. Jenkins, secretary; W. S. Bell and R. B. Simonson, assistant treasurers; J. P. Edmonson, J. H. Lang and George F. Wasson, Jr., assistant secretaries.

## *Distributors Focus On Latin America*

(Continued from page 1)

Improvements in Lightweight Record Reproducers and Theoretical Considerations Entering Into Their Design," by A. L. Williams, of Brush Development Co.; "New Frontiers for the Documentary Film," by A. A. Mercey, of U. S. Film Service, National Engineering Council; "The Time Telescope," by C. R. Veber, Department of Biophotography, Rutgers University; "The Preservation of History in the Crypt of Civilization," by T. K. Peters, Oglethorpe University.

### Other Papers Read

Others were: "The Fluorescent Lamp and Its Application to M. P. Studio Lighting," by G. E. Inman and W. H. Robinson, Jr., of General Electric; "Mobile Photography by the Technicolor Method," by G. Cave, of Technicolor; "Recent Improvements in Carbons for M. P. Set Lighting," by D. B. Joy, W. W. Lozier, and R. J. Zavesky, of National Carbon; "Remarks on the Work of the Research Council Process Projection Equipment Committee," by F. Edouart, of Paramount; "Carbons for Rear Projection M. P. Studios," by Joy, Lozier and M. R. Null, of National Carbon; "20th Century Silent Camera," by G. Laube, of 20th Century-Fox; and "Flicker in Motion Pictures," by L. D. Grignon, of Paramount.

William C. Kunzman, convention chairman, said 200 were registered at the opening session today. He said 1,000 are expected for the television demonstration Friday.

Members of the Research Council of the Academy of Motion Picture Arts and Sciences will entertain the officers and board of governors of S.M.P.E. at an informal dinner Tuesday night at the Brown Derby.

## Republic's Chicago Meeting Thursday

Third of Republic's regional meetings will get under way at the Drake Hotel in Chicago Thursday. Al Adams, director of advertising and publicity, will leave for Chicago today and H. J. Yates and J. R. Grainger, president of Republic Pictures, will follow tomorrow, to speak at the meeting.

Max Roth, central district sales manager, will preside. The program will be similar to that at previous regional meetings. I. W. Mandel, R. F. Withers, E. J. Tilton. G. Nathanson, N. Steinberg and B. Rosenthal, franchise holders, will make addresses.

In accordance with Republic's plan to place a publicity representative in each exchange, eight have been added to the staff with 10 vacancies still unfilled. Dave Whalen will do special exploitation work in the home office, with Steve Edwards in the New York exchange. Others are George Fishman, Philadelphia; Perry Spencer, Atlanta; Hal Nosflatt, Dallas; Al Gregg, Cleveland; Marion Temple, Des Moines, and Gene Keenan, Boston.

The regional meeting, which will last two days, will be attended by I. W. Mandel, H. Lorch, J. Schwartz, S. Decker, M. Dreifuss, F. Nardi, of Chicago; L. W. Marriott, H. Gorman, H. C. Knox, Indianapolis; J. Frackman and M. Lavin, Milwaukee; R. F. Withers, C. Parkhurst, J. Scott and C. Riley, Kansas City; E. J. Tilton, C. A. Pratt and Bert Thomas, Des Moines; H. F. Lefholtz, C. F. Reese and John McBride, Omaha; Gilbert Nathanson, George Fosdick, Ben Meshbesher and Abbot Swartz, Minneapolis; Nat Steinberg, Barney Rosenthal, James Gateley, Dave Nelson and William Weiss, St. Louis.

## *Lasky Finalists on Air*

Jesse L. Lasky, accompanied by the two finalists of the first cycle of "Gateway to Hollywood" programs which RKO is presenting, will appear as special guests in a dramatization on the Texaco "Star Theatre" program Wednesday night.

## *Rhodesia Series on Air*

WINS has been signed by the Government of Rhodesia for a series of broadcasts which are to emanate from that government's exhibit at the World's Fair. WINS will build a special studio for the programs.

## *Fris Joins Newspaper*

Oklahoma City, April 17.—David Fris, KOMA ad salesman here, has resigned to join the advertising staff of the Albany (N. Y.) *Times-Union*

## Production Code Makes Censorship Needless—Richey

COLUMBUS, April 17.—Industry's Production Code is sufficient safeguard against bad taste, and political censorship is unnecessary and expensive, H. M. Richey, director of exhibitor relations for RKO, said here tonight.

Richey addressed the Columbus Town Meeting at the Y.M.C.A. in a forum on film censorship. Another speaker was Dr. Edgar Dale, director of the Bureau of Educational Research of Ohio State University.

No film given a Production Code seal in the last two years has been kept off the screens "by any organized public disapproval of the finished product, a record that cannot be touched by any other industry in the world," he declared. And despite the state censors' " 'I must justify my job' method of fine tooth combing, 86 per cent of the films produced last year were passed without a single elimination, and the balance, dependent on the censor's personal taste, necessitated minor but expensive cuts."

Richey said that state censorship is "purity for profit," since it returns a small profit to the states in fees or furnishes "another political plum that can be added to the patronage of the state."

## *'Lincoln' Title Is Legal, Lawyers Say*

There is no legal justification for the infringement suit brought by Robert E. Sherwood and the Playwrights Producing Co. against 20th Century-Fox, involving the film "Young Mr. Lincoln," 20th Century-Fox lawyers contend.

The action was brought in N. Y. supreme court on the ground that the title is similar to "Abe Lincoln in Illinois," Sherwood's play. It is claimed that the play gave Lincoln's early life celebrity and vogue. Counsel for 20th Century-Fox point out that there have been numerous plays about Lincoln, that he is a public character and that no ideas were taken from Sherwood's play.

### *Shift Loew Managers*

Loew's circuit has made several managerial changes and promotions, as follows: Walter Mock, assistant manager at the Kameo, to manager of the Canal; Paul Swater, chief usher at Prospect, to assistant at Astoria · Martin Waldman, Canal to Burland; Edward Crawford, Burland to New Olympia; Ben Newman, Rio to Elsmere; George Kirby, Elsmere to Rio; John O'Connor, assistant at Astoria, to Kameo.

### *Berger Directs 'Thief'*

LONDON, April 17.—Alexander Korda has signed Ludwig Berger to direct his color production, "The Thief of Bagdad," which will star Sabu and Conrad Veidt.

### *To Drop Vaudeville*

PITTSBURGH, April 17.—Stanley will suspend its vaudeville-pictures policy for a month, beginning April 21.

### *Picture Prospects Exceed Bull Fights*

**Mexico City, April 17.—Though times are not so good in the Mexican production industry, it seems its prospects are better than bull fighting. Lorenzo Garza, one of Mexico's ace matadores, announces that he is going to turn picture producer. He plans to finance his new enterprise largely from savings from his earnings as a blood and sand artist. Garza played the lead in a couple of Mexican-made bull fight pictures.**

## *Warner Theatre Ad Men Finish Meeting*

Warner Theatres advertising men left for their respective territories last night following a one-day meeting at the home office presided over by Harry Goldberg, director of Warner Theatres advertising and publicity.

Speakers included Joseph Bernhard, general manager of Warner Theatres; Charles Einfeld, director of advertising and publicity for Warners; Mort Blumenstock, in charge of advertising and publicity in the east, and Goldberg. Discussions of sales plans for "Confessions of a Nazi Spy" and "Juarez" were held, in addition to merchandising plans for the remainder of the season.

## *Bondy Extends Time On Stirn RKO Appeal*

Federal Judge William Bondy yesterday extended the time of John S. Stover, as attorney for Ernest W. Stirn, to file the record on two appeals from orders of Judge Bondy confirming the plan of reorganization of RKO to May 15. Previously Judge Bondy had extended time of H. Cassell & Co., which is also appealing, to May 15.

## *Mexico to Celebrate National Film Week*

MEXICO CITY, April 17.—Arrangements are being completed by the Mexican industry and the Mexican Government for the celebration, starting April 23, of the first national motion picture week, for the purpose of stimulating interest in pictures made in this country. At least 30 new Mexican films are to be exhibited during the week.

### *Detroit Tops RKO Drive*

RKO's Buffalo branch has climbed to second place in the George Schaefer sales drive at the end of the 10th week of the campaign. Detroit still leads and New York is third. The east central district leads the seven districts and the eastern division is ahead of the western.

### *Berke Is Transferred*

Bob Berke, 20th Century-Fox salesman in Detroit, has been transferred to Omaha, succeeding Carl Reese, resigned. Lloyd Keilor, ad sales manager in Detroit, has been appointed salesman. Jack Sturm is the new ad sales manager.

## 'U' Forces Gather For Chicago Parley

CHICAGO, April 17.—More than 60 Universal district and branch managers, salesmen and home office officials are converging here for the opening of the company's second regional sales meeting in the Palmer House, Tuesday. The meeting, which will continue through Thursday, follows an initial session in Cincinnati for eastern and southern branch men.

The following exchange groups will be represented at the local meeting: Des Moines, Kansas City, Omaha, St. Louis, Detroit, Indianapolis, Milwaukee and Chicago. All home office executives who attended the three-day meeting in Cincinnati will be here. They include W. A. Scully, general sales manager; Nate J. Blumberg, president; F. J. A. McCarthy, eastern sales manager; W. J. Heineman, western sales manager; Joseph H. Seidelman, foreign sales manager, and Louis Pollock, eastern advertising and publicity director.

The meeting here will be followed by the third and final regional at the St. Francis, San Francisco, beginning next Saturday. The home office officials, with the exception of Scully and Heineman, return to New York from here.

## *Affirm Dismissal of 'Hells Angels' Suit*

U. S. Circuit Court of Appeals handed down an opinion yesterday affirming the dismissal of a suit of Richard Barry against United Artists Corp., United Artists Theatres Circuit, Inc., Howard Hughes and The Caddo Co., Inc., for alleged plagiarism of Barry's play, "Breaking Faith of an Insurgent," in the motion picture, "Hell's Angels."

Complaint, which had sought an injunction, accounting and judgment for damages, was dismissed by Judge William Bondy after trial. The Circuit Court stated that there was no resemblance between the play and the film and that it did not believe there had been an infringement.

### *To Hear Appeal Today*

Appeal of Mort Eisman, Clara Dellar and Robert Louis Shayon from a dismissal by Federal Judge John M. Woolsey of their plagiarism suit against Samuel Goldwyn, Samuel Goldwyn, Inc., and Eddie Cantor, will be heard by the U. S. Circuit Court today. Plaintiffs charged plagiarism of their play, "Oh, Shah" in the film, "Roman Scandals."

### *Fund Film Available*

A one-reel film, titled "Neighbors in Need" has been produced for the Greater New York Fund by March of Time and is available to theatres without charge. The film describes the work of the Fund's 388 agencies. The Fund started its $10,000,000 drive yesterday.

### *Crews Bill Up Tomorrow*

ALBANY, April 17.—Assemblyman Robert J. Crews' measure to license all projectionists of 35 mm. machines in New York City will debate the bill before the Assembly when it comes up for a vote on Wednesday. Organized labor is behind the measure.

### *$800,000 Invested In Mexican Films*

**Mexico City, April 17.—Mexican pictures in the making here represent an investment of about $800,000, the highest outlay at any one time for films in Mexico.**

## Iowa T. O. Hears Discussion on Pact

DES MOINES, April 17.—Two-day spring convention of Allied Independent Theatre Owners of Iowa and Nebraska opened here today with a luncheon at the Hotel Kirkwood. Attendance is about 100. A snowstorm prevented many exhibitors from attending.

The opening session was devoted to a discussion of the trade practice code and the Neely bill, with L. F. Wolcott, Eldora, Ia., presiding. A committee was appointed to report tomorrow morning.

## *Delay Music Union Talks Indefinitely*

Scheduled meeting of company heads and Pat Casey, producers' labor representative, with the executive committee of the American Federation of Musicians to consider proposals for increased employment of musicians throughout the industry was postponed indefinitely yesterday. Inability of some executives to attend and the absence of several others from the city necessitated the postponement. The meeting may be held some time next month.

Casey plans to leave New York for the coast tomorrow in order to be on hand there, if needed, during the proposed settlement of new contracts for I. A. T. S. E. studio locals.

## *Mexican Film Labor Committee Appointed*

MEXICO CITY, April 17.—Labor difficulties for Mexican producers appear to be smoothed out with the appointment of a mixed committee of three representatives of the producers and three from the workers to handle all grievances of an employer-employe nature.

### *Murphy's Father Dies*

T. J. Murphy, father of Gene Murphy of Loew's publicity department, died Saturday in Chicago. Funeral services will be held today. Morty Tauber of Loew's publicity department is also mourning the loss of his father, who died Saturday.

### *Comerford Gets Three*

SCRANTON, Pa., April 17.—Comerford Amusement Co. has acquired three houses operated by Jackson Enterprises, Inc., at Lebanon, Pa. the Colonial, Capitol and Jackson.

### *Not to Use Bank Night*

CLEVELAND, April 17.—Nat Wolf, Warner zone manager, has declared that contrary to earlier statements, Bank Night will not go into the Madison, Mansfield, O., at this time.

*A STATEMENT OF POLICY*
*AND AN ANNOUNCEMENT*
*OF 1939-40 PRODUCT*
*FROM 20th CENTURY-FOX*
*FILM CORPORATION . . .*

Without hysteria, without braggadocio, without making rash promises that we can never hope to fulfill, Twentieth Century-Fox proudly presents its program for the season 1939-40.

The company will release fifty-two pictures.

In the following pages, we list titles, stars, players and directors that will be used to make up our 1939-40 program.

The literary properties outlined are the most important ever offered by this company. From this list will be selected the pictures that will make up our next year's group.

In spite of their great merit, a certain percentage of our story properties will fail to develop, because there always has been and always will be a percentage that, in final form, will not reach up to Studio expectations and must be replaced or dropped.

This is a situation which is inherent in the production of motion pictures.

These hazards, these changes, these heartbreaking disappointments are realized only by the man who has to deal day by day with the actual problems of production, but they exist in our industry and they cannot be eliminated.

As to the casts, we list that group of personalities under contract to this company and those already borrowed from the outside from whom these pictures will be cast.

Other deals of course will be made, other names will be added from time to time as they have been in past years; but we do not mention our hopes in many directions simply because these negotiations are not actually completed.

In asking you, our customers, to purchase this product, we call your attention to the following facts on which you can base your judgment:

1. The production record of this company for the past four years since the 20th Century-Fox Film Corporation was formed.
2. The list of important box-office names under contract to this organization plus our ability to buy our share of additional talent in the open market.

3. The list of impressive and well-known properties from which our program will be made, plus the purchase of other timely books or stage plays offered on the market which may be superior to or more timely than some of those we have indicated in spite of their respective merit.
4. The incentive to continue to operate and conduct a successful and constantly growing company and to secure the continued good will and respect of the thousands of contented customers the world over which this company enjoys.
5. The mutual necessity of making product that will produce a profit for ourselves and for you, which can only be done in the future as in the past by producing the greatest number of money-making box-office attractions.

These ingredients and the reasons as stated above plus this company's well-known record do not make so-called blind buying quite as blind as some would make you believe.

To the exhibitor who has used 20th Century-Fox product these past four years, we pledge the utmost that is possible to deliver a continuous flow of well made and profit-making quality motion pictures, to the end that we can continue to deserve and secure that support and confidence that has made this company's record one of which we are all very proud.

S R Kent

President, 20th Century-Fox Film Corporation

Darryl Zanuck

Vice-President in Charge of Production

Herman Wobber

General Manager of Distribution

# OF THE 52 20TH CENTURY-FOX PICTURES FOR
# PRODUCE 24 FROM THE FOLLOWING GREAT

## THE RAINS CAME

The biggest production ever attempted by 20th Century-Fox. Based on Louis Bromfield's best selling novel. Directed by Clarence Brown. Co-starring MYRNA LOY, TYRONE POWER, GEORGE BRENT with a supporting cast including Cesar Romero, Joseph Schildkraut, Maria Ouspenskaya and Henry Travers.

## STANLEY AND LIVINGSTONE

A production that has been more than two years in the making. A special expedition braved the African wilds for months to obtain authentic scenes. Directed by Henry King. The cast is one of the most impressive in screen history: SPENCER TRACY, RICHARD GREENE, NANCY KELLY, Sir Cedric Hardwicke, Walter Brennan, Henry Hull, Henry Travers, Charles Coburn, thousands more.

## HOLLYWOOD CAVALCADE

The "Big Parade" of film history . . . patterned to the scale of "Alexander's Ragtime Band." Co-starring ALICE FAYE and DON AMECHE. A cast blazing with luminaries of the film capital. Screen play by Ernest Pascal, from a story by Lou Breslow.

## MARYLAND

In TECHNICOLOR. Produced as a companion picture to "Kentucky." Tingling and fascinating drama that revolves around the breeding of thoroughbred trotting horses and the glorious history of the state of Maryland. From the story by Sonya Levien.

### *Maeterlinck's*
## THE BLUE BIRD

Starring SHIRLEY TEMPLE. In TECHNICOLOR. One of the most important properties ever acquired by this industry. Based on the play and book of world-wide fame. To be produced with a lavishness that will make it stand out among even the very biggest of 20th's top-bracket hits.

# THE COMING YEAR, DARRYL F. ZANUCK WILL
# PROPERTIES OR OTHERS EVEN GREATER

## EVERYTHING HAPPENS AT NIGHT

Starring SONJA HENIE. Romantic comedy, thrilling with the grace and heart-lifting beauty of the most spectacular ice ballets yet to present this top-ranking "First Ten" star.

## DRUMS ALONG THE MOHAWK

In TECHNICOLOR. From Walter Edmonds' best of best-sellers. Two whole years of research and writing have been devoted to getting the full throbbing power of this story of pioneer trappers and the American Revolution onto the screen. Its multi-star cast will be one of the year's most impressive.

## THE MARK OF ZORRO

TYRONE POWER will star in this adaptation of one of the most sensationally successful and colorful boxoffice hits in all screen history. A role ideally suited for this most versatile and dashing of great stars. Truly big-picture!

## A BRITON AT YALE

RICHARD GREENE'S sky-rocketing popularity will leap forward again with the showing of this attraction — an intensely dramatic story woven around the traditions and high-spirited activities of one of America's greatest universities.

## SWANEE RIVER

The romantic Old South in song and drama. Starring DON AMECHE in a characterization that gives full play to his wealth of talent.

## LITTLE OLD NEW YORK

Starring ALICE FAYE. The famous play by Rida Johnson Young, a notable success on stage and screen, rich in heart-warming sentiment and romance. Perfect for the glorious abilities of beautiful Alice Faye.

## LADY JANE

Another SHIRLEY TEMPLE dramatic spectacle . . . produced with all the breath-taking scope of "The Little Princess." Resplendent with the brilliant and reckless gaiety of New Orleans at Mardi Gras. From the classic by Mrs. C. V. Jamieson. Directed by Walter Lang.

## AN S. S. VAN DINE MYSTERY

(TITLE TO COME)

A master-stroke of showmanship stars SONJA HENIE in a story by one of the greatest living writers of detective fiction. A picture loaded with the electrifying surprises for which Van Dine is famous.

### *Elsa Maxwell's*

## HOTEL FOR WOMEN

The flair of the famous Elsa for the daring has made her entertainments internationally famous. Here she makes her debut as a screen personality . . . in a story she co-authored with Kathryn Scola. A spontaneous-publicity natural . . . a word-of-mouth sensation. Directed by Gregory Ratoff. The first of three Cosmopolitan Productions.

## DANCE WITH THE DEVIL

An original story by William Rankin and Eleanore Griffin, who wrote "Boys Town."

## FRONTIER MARSHAL

A dramatization of the West in its most lawless and tumultuous days . . . depicting the never-to-be-forgotten exploits of historic Wyatt Earp.

## HE MARRIED HIS WIFE

WARNER BAXTER and BINNIE BARNES, who scored so brilliantly in "Wife, Husband and Friend," in a story even richer in hilarity and romance.

## THE KHYBER RIFLES

A story of heroic action . . . as British regiments and native hordes clash for the gateway to India . . . historic, blood-drenched Khyber Pass. To be produced on a lavish scale.

## JOHNNIE APOLLO

Vital with timely significance and drama . . . showing the disillusionment of modern youth facing a troubled world. Story by Samuel G. Engel, Hal Long and Roland Brown.

## 20,000 MEN A YEAR

Quick-on-the-trigger alertness won 20th this story of modern aviation's newest phase—the fliers of tomorrow and their training in American colleges. Thrilling and alive with youth. From the story by Frank Wead.

## HERE I AM A STRANGER

Sincere, moving, powerful, human! Father and son drama against a college background. From the novel by Gordon Hillman, first published in McCall's magazine.

## SCOTLAND YARD

Based on the famous stage play of the same name by Denison Clift. Pulse-pounding with all the suspense and fascination its title suggests.

## BREACH OF DISCIPLINE

The sensational European stage hit about women in the medical profession.

## STEINMETZ, THE GREAT

A production of epic scope, revealing the human side of the scientist whose miracles captured every imagination. His early struggles and romance make a story compelling with real-life impact.

## RED CROSS NURSE

A tribute to that inspiring group of women, followers of the Florence Nightingale tradition, whose heroism has repeatedly thrilled the world.

## BRIGHAM YOUNG

America's pages know no more arresting and vital figure than the illustrious founder of the Mormon Church. His indomitable courage in the face of crushing obstacles constitutes one of the most grippingly dramatic stories ever written.

### *Irving Berlin's*

## SAY IT WITH MUSIC

An exciting new type of American cavalcade — original, different! Mellow with heart-warming memories inspired by 25 of the most popular melodies ever written. Prodigal with all that makes for production greatness!

## I WAS AN ADVENTURESS

Vivid-as-life experiences of a woman who led a band of European swindlers. Unmatched for minute-to-minute excitement.

## A DEAL IN HEARTS

A bright comedy of domestic relations and complications . . . involving a wife who fought the eternal triangle with fire.

## THE LITTLE DIPLOMAT

Starring SHIRLEY TEMPLE. A perfect vehicle . . . to be produced with the abundance of show values with which 20th has determined to surround the world's No. 1 star!

## DANCE HALL

Adapted from W. R. Burnett's colorful and powerful novel of the steel workers, "The Giant Swing." Directed by Gregory Ratoff.

## LILLIAN RUSSELL

Brightest star of the brightest days of New York musical comedy, her story glistens romantically with diamond brilliance, sparkles with champagne effervescence. The era that gave the Gay White Way its name.

## BELLE STARR

The famous woman outlaw of the turbulent West whose deeds of brazen daring rivalled those of Jesse James.

## THE POSTMAN WALKS ALONE

One of the most compelling titles and one of the most vital stories the studio has scheduled for production.

•

## *These Popular Series*

SOL M. WURTZEL, *Executive Producer*

## 4 CHARLIE CHAN PRODUCTIONS

Even stronger casts and higher-budget production are planned this year, following the enthusiastic acceptance by exhibitors and the public of Sidney Toler in the title role!

## 4 JONES FAMILY SERIES

The constantly-growing affection of theatre-goers for this family—both individually and as a group—is being reflected in successively larger boxoffice returns. More important story material will still further strengthen their value to you.

## 3 MR. MOTO ADVENTURES

Peter Lorre, as the famous Saturday Evening Post sleuth, has steadily become a more firmly established boxoffice asset. Added impetus will be given his popularity by the stronger material afforded him in 1939-40.

## 4 JANE WITHERS COMEDIES

The wisdom of 20th's star strategy is reflected in the fact that Jane Withers, again in 1938, was high in the enviable "First Ten." Plans for the forthcoming season include important casts and stories calculated to widen her top-rank appeal and marquee pull.

*—and—*

## 13 ADDITIONAL FEATURES

As yet untitled.

# THE PRODUCING ORGANIZATION

**DARRYL F. ZANUCK**
*Vice-President in Charge of Production*

**WILLIAM GOETZ**
*Vice-President and Executive Assistant*
*to Darryl F. Zanuck*

**SOL M. WURTZEL**
*Executive Producer*

### *Associate Producers*

Harry Joe Brown
Raymond Griffith
David Hempstead
Nunnally Johnson
Edward Kaufman
Kenneth Macgowan
Gene Markey
John Stone

### *Directors*

Otto Brower
Irving Cummings
Roy Del Ruth
Allan Dwan
John Ford
Eugene J. Forde
Norman Foster
Herbert I. Leeds
Henry King
Walter Lang
Sidney Lanfield
George Marshall
Gregory Ratoff
William A. Seiter
Malcolm St. Clair
Alfred Werker

### *The Writers*

Jack Andrews
Arthur Arthur
John Balderston
Edwin Blum
Lou Breslow
Walter Bullock
William A. Drake
S. G. Duncan
Philip Dunne
Kenneth Earle
Walter D. Edmonds
Robert Ellis
Don Ettlinger
Robert Harrari
Sam Hellman
Anne Herendeen
Ethel Hill
Joseph Hoffman
Leonard Hoffman
Betty Hopkins
Frances Hyland
Boris Ingster
Frank L. James
Rian James
Jack Jungmeyer
Curtis Kenyon, Jr.
Fidel La Barba
John Larkin
Henry Lehrman
Sonya Levien
Helen Logan
Walter Morosco
Morris M. Musselman
Samuel Ornitz
Ernest Pascal
William Rankin
Eleanore Griffin
Gregory Ratoff
Albert Ray
Allen Rivkin
Sid Silvers
Richard Sherman
Edith Skouras
Milton Sperling
Barry Trivers
Lamar Trotti
Harry Tugend
Karl Tunberg
Jack Vernon
Darrell Ware
Frank Wead

# THE STARS AND PLAYERS

The personalities listed below include only those now under contract to 20th Century-Fox. Other established names will be cast in fulfillment of story demands. And 20th will continue its successful practice of developing talent into stars of maximum value.

Shirley Temple
Tyrone Power
Sonja Henie
Alice Faye
Don Ameche
Nancy Kelly
Richard Greene
Cesar Romero
Annabella
Warner Baxter
Binnie Barnes
Peter Lorre
Sidney Toler
Jane Withers
Lionel Atwill
Henry Fonda
Joan Davis
The Ritz Brothers
John Carradine
Lynn Bari
Spring Byington
Jed Prouty
Eddie Collins
Douglas Fowley
Russell Gleason
Kane Richmond
Joseph Schildkraut
George Sanders
Slim Summerville
Wally Vernon
Marjorie Weaver
Arleen Whelan
Florence Roberts
Amanda Duff
Pauline Moore
Joan Valerie

# SHORT PRODUCT

The policy of producing its own short subjects, under the supervision of Truman Talley, has evoked such a gratifying exhibitor response that 20th Century-Fox will continue it this season. Quality will again guide the planning of these one-reel featurettes.

## 6 LOWELL THOMAS' MAGIC CARPET OF MOVIETONE

Incomparably the finest in its field, narrated by the greatest voice of screen or radio. A subject whose breath-takingly beautiful photography and interesting subject matter has made it a "must" for all the better theatres.

## 6 ED THORGERSEN'S SPORTS REVIEWS

Already, in one season, an established success. Its unique "inside story" slant on outstanding sports activities accounts for its great popularity. Narrated by the man who knows . . . and knows how to tell it.

## 6 DRIBBLE-PUSS PARADES

The absurdities, peculiarities and laughs in life are shown on the screen while America's No. 1 funny man, Lew Lehr, convulses you with his cock-eyed comment.

## 4 ADVENTURES OF A NEWSREEL CAMERAMAN

To be individually produced—not compiled as in the past—thus heightening the amazing thrill and suspense that have made this series one of your surest-fire attractions.

## 4 VYVYAN DONNER FASHION FORECASTS

In TECHNICOLOR. A subject with sensational feminine appeal that has taken the men by storm. The tops in smartness, beauty and audience pull. With sparkling comment by Ilka Chase that would, in itself, mark this series as outstanding.

*—and—*

## 26 TERRYTOONS

Paul Terry's organization will have *ten* subjects in TECHNICOLOR this season—five of which will be delivered before January 1, marking another forward stride in this company's live-wire production schedule.

# MOVIETONE NEWS

Probably never before in this country's life has the public been so intensely interested in news the world over . . . making it a matter of utmost importance that your theatre show the finest in newsreels. Movietone News' farflung international organization . . . the morale of its cameramen who snatch scoops in the very midst of peril . . . the unequalled speed with which it rushes the news to your screen . . . its incomparable corps of editorial specialists . . . all make it unchallenged No. 1 in newsreels. Issued twice each week.

TRUMAN TALLEY
*Vice-President and Producer*

LOWELL THOMAS
*News Commentator*

LEW LEHR
*Newsettes*

ED THORGERSEN
*Sports Commentator*

EDMUND REEK
*General Manager*

RUSSELL MUTH
*European Director*

HARRY LAWRENSON
*Foreign Editor*

VYVYAN DONNER *and* HELEN CLAIRE
*Feminine World*

# FIRST QUARTER RELEASES 1939-40

(TENTATIVE)

| *Release Date* | *Production* |
|---|---|
| August 5 | HOTEL FOR WOMEN |
| 12 | CHICKEN WAGON FAMILY<br>(starring Jane Withers) |
| 19 | HOLLYWOOD CAVALCADE |
| 26 | MR. MOTO adventure |
| September 2 | STANLEY AND LIVINGSTONE |
| 9 | THE JONES FAMILY AT THE WORLD'S FAIR (N. Y.) |
| 16 | HE MARRIED HIS WIFE |
| 23 | CHARLIE CHAN AT TREASURE ISLAND |
| 30 | RED CROSS NURSE |
| October 7 | STOP, LOOK AND LOVE |
| 14 | A BRITON AT YALE |
| 21 | HOLD ME TIGHT |
| 28 | THE RAINS CAME |

20th CENTURY FOX

JOSEPH M. SCHENCK
*Chairman of the Board*

SIDNEY R. KENT
*President*

Printed in U. S. A.

# 'Dodge' Smash $25,500 Lead In Pittsburgh

PITTSBURGH, April 17.—"Dodge City" paced the field with a healthy $25,500 at Loew's Penn, followed by the Alvin's good $14,700 for "Three Smart Girls Grow Up" and $7,600 at the Fulton on "East Side of Heaven." "Blackwell's Island" with Tony Martin on stage grossed $22,500 at the Stanley. Second week of "Huckleberry Finn" at the Warner, drew $[illegible].100.

Estimated takings for the week ending April 14:

**"Three Smart Girls Grow Up" (Univ.)**
ALVIN—(1,900) (25c-35c-50c) 7 days. Gross: $14,700. (Average, $7,000)

**"Lost Patrol" (RKO) (Reissue)**
**"Star At Midnight" (RKO Reissue)**
FULTON—(1,700) (25c-40c) 3 days, 2nd week. Gross: $2,400. (Average, $5,000, 7 days)

**"East Side of Heaven" (Univ.)**
FULTON—(1,700) (25c-40c) 7 days. Gross: $7,600. (Average, $5,000)

**"Dodge City" (W. B.)**
LOEW'S PENN (3,600) (25c-35c-50c) 7 days. Gross: $25,500. (Average, $15,000.)

**"Snow White and the Seven Dwarfs" (RKO)**
SENATOR (2,000) (25c-40c) 7 days. Gross: $3,300. (Average, $3,800)

**"Blackwell's Island" (W. B.)**
STANLEY—(3,600) (25c-40c-60c). Stage: Tony Martin, Jimmy Joy, Ames & Arno, Helen Keene, Katharine Westfield, [illegible]. Gross $22,500. 7 days. (Average [illegible]7,000)

**"Huckleberry Finn" (M-G-M)**
WARNER—(2,000) (25c-40c) 7 days, 2nd week. Gross: $[illegible],100. (Average $4,500)

# 'Dodge City' Clicks In Milwaukee with $10,000 Top Gross

MILWAUKEE, April 17.—Business came back, with "Dodge City" and "The Adventures of Jane Arden" collecting $10,000 at the Warner. "Risky Business" coupled with Dixie Dunbar, Eddie Peabody and Jackie Heller grossed $10,300 at the Riverside, while "The Story of Alexander Graham Bell" and "Everybody's Baby" did a strong $9,500 at Fox's Wisconsin.

The reopened Alhambra capitalized on the war news to the extent of $4,800 with "When Germany Fell," a series of newsreel shots. The weather continued cold and fair.

Estimated takings for the week ending April 12-14:

**"I'm From Missouri" (Para.)**
**"Bulldog Drummond's Secret Police" (Para.)**
PALACE—(2,400) (35c-50c) 6 days. Gross: $3,500. (Average, $4,000)

**"Risky Business" (Univ.)**
RIVERSIDE—(2,300) (25c-30c) 7 days. Stage: Dixie Dunbar, Eddie Peabody, Jackie Heller. Gross: $10,300. (Average, $5,000)

**"Hound of the Baskervilles" (20th-Fox)**
**"Wife, Husband and Friend" (20th-Fox)**
STRAND—(1,400) (35c-50c) 7 days. Gross: $1,800. (Average, $2,000)

**"Dodge City" (W. B.)**
**"The Adventures of Jane Arden" (W. B.)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $10,000. (Average, $4,500)

**"The Story of Alexander Graham Bell" (20th-Fox)**
**"Everybody's Baby" (20th-Fox)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $9,500. (Average, $5,500)

**"When Germany Fell"**
ALHAMBRA—(2,660) (25c-35c) 7 days. Gross: $4,800.

# *Theatre Changes*

### START ONTARIO HOUSE

TORONTO, April 17.—Theatre Holding Corp., Toronto, operating a circuit in Ontario, has commenced building a new theatre at Tillsonburg to seat about 700 persons. The theatre is scheduled to open June 15. The company also expects to complete the Strand Theatre at Port Colborne, Ont., in time to open May 5.

### N. C. HOUSE OPENED

LUMBERTON, N. C., April 17.—Lumberton's new 750-seat house, the Riverside, opened recently. It is the newest link in the circuit of 11 theatres owned by Morris Legendre. W. S. Britt, local attorney, and Bishop B. Anderson, South Carolina theatre owner, will build a 1,200-seat $50,000 theatre here.

### CONSOLIDATED BUYS 3

OKLAHOMA CITY, April 17.—Consolidated Theatres, Inc., affiliate of the Griffith Amusement Co., has bought three theatres in El Reno, Okla., from Orville Enloe and F. E. Loomis, the Criterion, Empress and Royal.

### TAKES JERSEY HOUSE

Maurice Parks, former druggist, has acquired the Atlantic, Atlantic Highlands, from John McNamara, who had operated it for five years. Illness necessitated McNamara's retirement.

### REOPENING JUNE 1

Highlands Auditorium in Highlands, N. J., will reopen June 1 after being dark for three months.

### LEASES IN GEORGIA

HAPEVILLE, Ga., April 17.—Fulton, Hapeville's newest theatre, now completed, has been leased to F. C. Coleman of East Point Amusement Co.

### BUYS IN IOWA

HARTLEY, Ia., April 17.—C. E. Werden, who operates the Star at Sioux Rapids, Ia., and the Broadway at Centerville, S. D., has purchased the Capitol here from Mrs. C. A. Sartorius.

### EDGERTON, MO., REOPENING

EDGERTON, Mo., April 17.—Abe Shafer has reopened the Shafer. The house has been dark for some months.

### PLAN NEW WIS. HOUSE

SUN PRAIRIE, Wis., April 17.—Sun Prairie Theatre, Inc., is planning to remodel a building here into a new theatre.

### PORTLAND, ORE., SALE

SAN FRANCISCO, April 17.—Minnie Rosenfelt of this city has sold the American Theatre in Portland, Ore., to Edward Lewis of Salem, who will remodel and renovate the building.

### SOPERTON, S. C., OPENING

SOPERTON, S. C., April 17.—Pal Theatre, new unit in the circuit owned by M. F. Brice, has opened here.

### NEW S. C. HOUSE

PEARISBURG, S. C., April 17.—Star Amusement Co. has started construction of its new theatre here. It will seat 750.

### OMAHA AREA TRANSFERS

OMAHA, April 17.—Three theatres in the Omaha trade territory changed hands last week. Stanley Blackburn has taken over the Mainstreet at Freemont, Neb., from R. R. Booth; Ernie Koeniguer has purchased the Broadway from C. E. Werden at Centerville, S. D., and the Emerson Theatre at Emerson, Neb., has been transferred from Roy Hingst to August Hingst.

### NEW TIPTON, IA., HOUSE

TIPTON, Iowa, April 17.—The Toy theatre, under construction, will be ready for a formal opening early in May. Beulah De Nune has reopened the Hardacre theatre here after installing 400 new seats, new carpets, drapes, and new booth equipment.

### IOWA HOUSES REMODELED

ADAIR, Iowa, April 17.—A. O. Ludwig has reopened his Rialto theatre here. It had been closed for remodeling. Mrs. C. S. Hoffman has reopened the Grand at Knoxville which had been closed several weeks for renovations.

### LOWENSTEIN GETS 3

ARDMORE, Okla., April 17.—Lowenstein Theatres, Inc., has acquired three opposition theatres here, the Temple from Al Yoemans, Star from E. L. Black and Fox from Max Burger. Harry Loewenstein is a partner in the Griffith Amusement Co.

### BUILDS IN VIRGINIA

MARTINSVILLE, Va., April 17.—E. M. McDaniel will erect a new $20,000 building here to house a theatre and stores. The house will seat 600.

### PLANS CAROLINA HOUSE

WILSON, N. C., April 17.—Construction on a new house, that will cost $100,000, will be started shortly by North Carolina Theatres, Inc.

### REOPENS IN NEBRASKA

OMAHA, April 17.—Strand at Pierce, Neb., recently purchased by C. A. Craig, has reopened. It will be known as the Pierce.

### FORM THEATRE FIRM

SAN FRANCISCO, April 17.—New Salinas Theatre, Inc., has been incorporated here with capital stock of $75,000, by Dorothy F. Halley, Leslie L. Hubbard and Jesse C. Miller.

### BUYS CAROLINA SITE

MORGANTON, N. Y., April 17.—C. V. Davis has purchased a site here for a theatre.

### CLOSES IN CINCINNATI

CINCINNATI, April 17. — Mayfair, 400-seat downtown house, operated by J. Ebesrole Crawford for showing of foreign product, has closed.

### OPEN DRIVE-IN HOUSE

PROVIDENCE, April 17.—Drive-in Theatre, operated by the E. M. Loew circuit of Boston, has reopened here with double feature, subsequent run programs. W. D. McGhee is back as resident manager of the big outdoor amphitheatre.

# 'Dodge City' Big $41,000 For Chicago

CHICAGO, April 17.—"Dodge City" at the Chicago, aided by Mischa Auer and Paul Haakon and Revue on the stage, sent the gross at the Chicago to $41,000.

"The Story of Vernon and Irene Castle" ended the week with a good $23,000 at the Palace.

Held over for a second week, "Ice Follies of 1939," finished at the United Artists with $10,500.

Estimated takings for the week ending April 12-15:

**"Grand Illusion" (World)**
APPOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $8,500. (Average, $6,500)

**"Dodge City" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Mischa Auer, Paul Haakon and Revue. Gross: $41,000. (Average, $32,000)

**"Prison without Bars" (U. A.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,500. (Average, $6,500)

**"Boy Slaves" (RKO)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: "Breezin' Along" Revue with Lou Breeze Orchestra, Stepin Fetchit and Armida. Gross: $15,000. (Average, $13,000)

**"The Story of Vernon and Irene Castle" (RKO)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $23,000. (Average, $19,000)

**"I'm From Missouri" (Para.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $12,500. (Average, $11,000)

**"Disbarred" (20th-Fox)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Follies des Femmes Revue. Gross: $15,500. (Average, $12,000)

**"Ice Follies of 1939" (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $10,500. (Average, $15,000)

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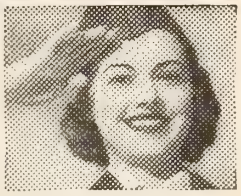

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# Frisco Gives 'Dodge City' $22,000 Lead

San Francisco, April 17.—"Dodge City" and "Sudden Money" drew $22,000 at the Fox. "The Story of Vernon and Irene Castle" pulled $17,000 at the Golden Gate, with dual of "Alexander Graham Bell" and "Chasing Danger" drawing $14,500 at the Paramount. Also outstanding was "Wuthering Heights" with $11,000 at the United Artists.

Estimated takings for the week ending April 11-14:

**"Story of Vernon and Irene Castle" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $17,000. (Average, $15,000)
**"Three Smart Girls Grow Up" (Univ.)**
ORPHEUM (2,440) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $8,000)
**"Dodge City" (W. B.)**
**"Sudden Money" (Para.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days. Gross: $22,000. (Average, $16,000)
**"Story of Alexander Graham Bell" (20th-Fox)**
**"Chasing Danger" (20th-Fox)**
PARAMOUNT—(2,740) (15c-35c-40c-55c-75c) 7 days. Gross: $14,500. (Average, $11,500)
**"Hound of the Baskervilles" (20th-Fox)**
**"Everybody's Baby" (20th-Fox)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)
**"Broadway Serenade" (M-G-M)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days. Gross: $11,000. (Average, $12,000)
**"Wuthering Heights" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65c) 7 days. Gross: $11,000. (Average, $8,000)
**"The Ghost Goes West" (G. B.)**
CLAY—(400) (15c-35c-40c) 7 days. Gross: $800. (Average, $1,000)
**"Janosik" (French M. P. Corp.)**
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $700. (Average, $1,000)

## Set KC Club Induction

Kansas City, April 17.—Reel No. 1 of the Cinema Club, composed of younger men in the film and theatre business, will induct new officers April 19 at a dinner. The entertainment committee includes Charles Seibenthaler, Charles Decker and Harry Biederman.

# Hollywood Preview

## *"The Hardys Ride High"*

*(M-G-M)*

Hollywood, April 17.—"The Hardys Ride High" is one of those pictures that helps make the world a better place to live in. It's only a piece of entertainment, but as designed to interest the ordinary mortal who goes to a theatre to be amused the whole thing's significance is pretty much a case of sitting on the front porch on a drowsy Sunday afternoon, indulging in a lot of wishful thinking.

The regular "Hardy Family," aided by several others, thinks it has inherited $2,000,000. Only the "Judge" and his wife suspect that fate may be playing an April Fool or Hallowe'en joke. The family doesn't inherit $2,000,000, but before all realize it, Lewis Stone is given opportunity to expound a good deal of common sense, Mickey Rooney is permitted to go more high, wide and handsome than he has ever gone before, Sara Haden is allowed to practise serio-pathos as it rarely has been practised and, while "agog" is the word for what Cecilia Parker thinks and does, Fay Holden remembers that she always is the fictional mother of a fictional family. Numerous others, Virginia Grey, John King, Halliwell Hobbes and George Irving particularly, have much to do in giving this item of clean, wholesome and enjoyable entertainment appeal to all types of people.

George B. Seitz, who directed all the previous "Hardy" pictures, directed this. Agnes Christine Johnson, Kay Van Riper and William Ludwig thought up the day dream story. All who have seen any previous "Hardy Family" pictures are immediate prospects for this.

Running time, 80 minutes. "G."* G. McC.

*"G" denotes general classification.*

## Nine New Pictures Approved by Legion

National Legion of Decency for the current week has approved nine of 12 new films reviewed. Five were classed as unobjectionable for general patronage, and four for adults, while three were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Dodge City," "East Side of Heaven," "The Family Next Door," "The Hardys Ride High," "Housemaster." Class A-2, Unobjectionable for Adult Patronage—"Back Door to Heaven," "Broadway Serenade," "The Lady and the Mob," "Women in the Wind." Class B, Objectionable in Part—"L'Alibi," "Unmarried," "Wuthering Heights."

## Fox Midwest Starts Class for Managers

Kansas City, April 17.—Lon Cox, district manager for Fox Midwest in Greater Kansas City, has introduced a program of educational meetings for assistant managers. The meetings, held every two weeks, have the principal purpose of acquainting assistants with the fundamentals of theatre management, operation and exploitation.

Executives of the circuit address the assistant managers on special subjects. Senn Lawler, director of advertising and publicity, recently presented a discussion of advertising and exploitation; Charles Shafer talked at another meeting on records and accounting.

## Await Sentence in Wis. Games Fraud

Janesville, Wis., April 17.—Howard Johnson, assistant manager of the Jeffris here, has been freed on $1,000 bail pending his trial in connection with fraud charges against him and Theodore J. Lesky and Agnes Gerek, both of Milwaukee, growing out of a $500 Bank Night drawing at the theatre. Lesky and Miss Gerek both pleaded guilty and are being held in jail here awaiting sentence.

At Racine, Warners' Venetian, which originally announced it would resume Bank Night following a raid by local police, has since declared it will not resume the game.

## To Honor Kauffman

Pittsburgh, April 17. — Joseph Kauffman, new Universal manager in Cleveland, will be honor guest at a testimonial banquet at the Roosevelt Hotel here April 24. Harry Hendel, exhibitor, is chairman. Kauffman formerly managed the local Universal exchange.

# 'Dodge City' Hits $25,500, Philadelphi

Philadelphia, April 17.—Stanl led here, with "Dodge City" ta $25,500 for the first week. Side of Heaven" and a stage bill wi Shirley Ross, Charlie Barnet's ba and the Canova Trio drew $25,500 the Fox. "Broadway Serenade" to $14,800 in eight days at the Boyd.

Estimated takings for the week en ing April 13:

**"Midnight" (Para.)**
ALDINE—(1,300) (32c-42c-57c) 5½ day 3rd week. Gross: $7,500. (Average. 7 day $8,160)
**"Let Freedom Ring" (M-G-M)**
ARCADIA—(600) (26c-42c-57c) 6 day Gross: $2,100. (Average, 7 days, $2,800)
**"Broadway Serenade" (M-G-M)**
BOYD—(2,400) (32c-42c-57c) 8 day Gross: $14,800. (Average, 7 days, $14,000)
**"Oklahoma Kid" (W. B.)**
EARLE—(2,000) (26c-42c) 7 days. Gros $7,400. (Average, $8,000)
**"East Side of Heaven" (Univ.)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 day Stage: Shirley Ross, Charlie Barnet ban Canova Trio. Gross: $22,500. (Averag $16,000)
**"Hound of the Baskervilles" (20th-Fox)**
KARLTON—(1,000) (26c-42c-57c) 5 day Gross: $4,700. (Average, 7 days, $4,000)
**"Three Smart Girls Grow Up" (Univ.)**
KEITH'S—(2,000) (26c-42c-57c) 7 day Gross: $5,700. (Average, $4,000)
**"Never Say Die" (Para.)**
PALACE—(1,000) (26c-42c) 7 days. Gross $5,000. (Average, $4,500)
**"Dodge City" (W. B.)**
STANLEY—(3,700) (32c-42c-57c) 7 day Gross: $25,500. (Average, $14,000)
**"Winner Take All" (20th-Fox)**
STANTON—(1,700) (26c-32c-42c) 7 day Gross: $3,700. (Average, $7,000)

## Theatres Fight Wis. Circuit Tax Measur

Madison, Wis., April 17.—Exhib itors and labor representatives ap peared before the Senate Committe on Corporations and Taxation her against the Connors bill, which seek to levy an occupational and seat ta upon all theatre circuits with mor than two units.

Speaking against the bill were S. J Thomas, representing the Wisconsi Association of Stage Employes an Projectionists; Charles F. Puls, Jr. representing Standard Theatres Co and Warners, and F. J. McWilliams operator of two theatres in Portage and chairman of the board of the I.T.P.A. of Wisconsin and Upper Michigan.

Puls and Thomas also appeared before the Assembly State Affairs Committee in opposition to the Nicol theatre divorce bill.

Introduced by the Senate Committee on Judiciary is a bill repealing the statute prohibiting daylight saving time. A similar measure introduced in the Assembly in January has been indefinitely postponed.

The circuit tax bill, which would assess theatres from $5 to $100 per unit and from one cent to 15 cents per seat, depending upon the number of houses in a circuit, has a companion measure in the Assembly.

## Form Two Film Firms

Albany, April 17.—Recently incorporated here were Official Motion Picture Producers, Inc., New York, and Beach Movie Corp., New York.

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## Personnel Moves

### KANSAS CITY SHIFTS

Kansas City, April 17.—Lon Cox, ox Midwest district manager, has ade the following changes in personnel. Henry Rodick, manager at e Tower, to the Uptown; Charles arnes, house manager at the Uptown, Linwood; Owen Hitchler, Lin-d, to the Vista; Ralph Wallace, ista, to the Rockhill; Glen Carroll, ockhill, to the Warwick; Morrill oore, Warwick, to the Isis and pollo, and F. E. Ritter, Isis and pollo, to the Fox Tower. Harry iederman, Ritter's assistant, goes ith him to the Tower. Dale Havene of the Madrid and Paul Reinke f the Brookside, exchange jobs. Jack ayes, formerly assistant manager at eatrice, Neb., for Fox Midwest, mporarily has taken over Marysville, an., succeeding Glen Hall, resigned.

### RKO PROMOTES CLARK

Dayton, O., April 17.—Arthur M. rudenfeld, RKO division manager, incinnati, has appointed William A. lark as city manager here. He relaces Joe Goetz, temporarily in harge following the resignation of illard M. Blaettner. Goetz has reurned to Cincinnati as assistant diviion manager. William Weagley, ssistant at the RKO Colonial, has een promoted to manager of the KO State, with Robert Tucker, chief f service at the Colonial, moving into Veagley's former post.

### SHIFT AT HARTFORD

New Haven, April 17.—Warners' ave appointed Paul Binstock as manger of the Lyric, Hartford, succeeding William Flanagan, who has moved o the Lenox, Hartford. J. Kenny, ormerly at the Lenox, has resigned. Loew-Poli reports the transfer of Joseph DeMano, assistant at the Bijou, to Boston. Charles Gaudino, ormer College Theatre student assistant, is filling the post.

### GRIFFITH-DICKINSON SHIFT

Kansas City, April 17.—Griffith-Dickinson Theatres, Inc., has made two personnel changes. At Parsons, Kan., Harold Modlin has been succeeded by David Dallas. Modlin is eing transferred. There are two G-D ouses in Parsons, the Uptown and the Dickinson. Lew Chatham succeeds Ted Siler as manager at Independence, Kan., of the Booth. Siler is being transferred.

### McNEESE TO TULSA

Oklahoma City, April 17.—Jimmy McNeese, formerly manager of the Ismo theatre at Coffeyville, Kan., which was sold last month to the Fox West Coast circuit by Southwestern Theatres, Inc., of Oklahoma City and Tulsa, has been placed in charge of Southwestern's Tower theatre in Tulsa.

### CHANGE AT NEW HAVEN

New Haven, April 17.—Peter De Fazio, Warner exchange salesman, formerly at Pittsburgh and Indianapolis, succeeds Michael Anderson, resigned.

### RKO SHIFT AT COLUMBUS

Columbus, O., April 17.—C. Harry Schreiber, RKO city manager, has announced transfer of Lawrence D. Caplane from assistant manager of the Grand to a similar post at the Palace. He succeeds Lyle C. Gann, who has joined Fox-Midwest, at Kansas City. Noel Baker, Grand treasurer, replaces Caplane, and John R. Fry, assistant at the Majestic, moves into Baker's former position. Walter A. Shott, Jr., has been promoted to assistant at the Majestic.

### RICHRATH TO G. N.

Clevelan, April 17.—Paul J. Richrath has been appointed local Grand National branch manager to succeed Louis Patz, who resigned to become affiliated with National Screen Service in Milwaukee. Mae Vincent returns as office manager and booker.

### HEADS HAMRICK HOUSE

Seattle, April 17.—Dan Redden has been appointed manager of Hamrick-Evergreen's Paramount here. He succeeds William Hamrick, resigned. Clyde Strout, assistant manager of the Orpheum, has taken Redden's former post at the Coliseum.

## Out Hollywood Way

Hollywood, April 17. — **Walter Abel** has been signed by Arcadia, producing for Grand National, to appear opposite Margo in "Miracle of Main Street" . . . **Lee Tracy** and **Barbara Read** have the top roles in RKO's "The Spellbinder" . . . Last feature in the Monogram series of four starring **Frankie Darro** this season will be "Irish Luck" . . . **Larry Darmour** has purchased "Criminal at Large," original by **Eric Taylor**, for **Jack Holt**. **Harvey Gates** will do the script. . . . **Sol Lesser** has signed **Victor Young** as musical director for "Way Down South," the **Bob Breen** vehicle . . . Warners is planning "Pony Express," saga of pioneer days in the west. **Charles Tedford** is doing the script . . . **Ray Milland** and **Ellen Drew** draw the top roles of Paramount's "French Without Tears," which will be made in England . . . RKO has purchased "All Night Program," original by **Lester Koenig**, and "Along the Rio Grande," by **Oliver Drake**.

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*Casting*—**Bernadene Hayes** to "6,000 Enemies," M-G-M . . . **Helen Vinson** to "Memory of Love," RKO. . . . **George E. Stone** to "Heaven on a Shoestring," Paramount . . . **Allen Jenkins**, **Billy Halop**, **Bobby Jordan**, **Stanley Ridges** and **Henry Armetta** to "Dust Be My Destiny," Warners.

+

*Directors*—Warners has switched **William McCann** to "Hobby Family," in place of **William Clemens**, who will guide "Nancy Drew and the Hidden Staircase" . . . **Lloyd Bacon** to direct Warners' "Three Cheers for the Irish."

## U. S. Films Hold Lead In Lithuanian Market

Washington, April 17—United States maintained first place as supplier of films to Lithuania in 1938, according to a report to the Department of Commerce. American films contributed 42 per cent of the total with German, accounting for 24 per cent, second in the list. The United States and German also ran first and second in percentage of films censored based on length, the former accounting for 46.37 per cent, the latter 31.39 per cent. About 25 per cent of all American films shown in Lithuania were dubbed into the German language, compared with 60 per cent in 1937.

Outlook for the motion picture business this year is seen as favorable. Four new large theatres are being planned in Kaunas, the capital and construction of new houses in the provinces also is being considered.

## To Introduce Manager

Washington, April 17.—Universal will hold open house at the local exchange next Monday to introduce to the trade B. Bernard Kreisler, new exchange manager.

## Mexican Union Bans New German Picture

Mexico City, April 17.—"Sergeant Barry," produced in Germany by Tobis Films, has been banned from exhibition throughout Mexico by the Confederation of Mexican Workers, which considers that the picture is German propaganda, takes a slap at democracy and slurs Mexico.

The Confederation recently lifted its ban on "Carmen," exhibitions of which it had forbidden on the ground that some of the players have leftist views. The Confederation announces that it intends to ban all German pictures that spread Nazi or imperialistic propaganda and jeer at democracy.

## Pull 'Birth of Nation'

Milwaukee, April 17.—"The Birth of a Nation," advertised as the first showing with sound, was pulled out of A. J. Cooper's Alhambra here after two days following a decision by the Milwaukee Motion Picture Commission that the film is historically untrue and tends to arouse racial hatred.

## Charles A. Crute Dies

Huntsville, Ala., April 17.—Charles A. Crute, 62, local theatre owner, died at his home here. He is survived by a son, daughter, sister and brother.

## No Percentage Is Corporation Name

**At least one exhibitor is using a corporate name to express his opinions on business today. Murray Ginsburg has organized the No Percentage Pictures Theatre Corp. to operate the Howard, Howard Beach, L. I. Ginsburg is president and Anthony Bannon is secretary-treasurer.**

## '3 Smart Girls' Draw $11,500 in 2 K.C. Theatres

Kansas City, April 17.—"Three Smart Girls Grow Up" took $6,500 at the Uptown and $5,000 at the Esquire, for a total of $11,500. "Dodge City" did $11,300 at the Newman, and "The Castles" garnered $8,700 at the Orpheum. "Alexander Graham Bell" at the Fox Tower took $6,300.

Estimated takings for the week ending April 11-13:

**"Dodge City" (W. B.**
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $11,300. (Average, $7,000.)

**"Three Smart Girls Grow Up" (Univ.)**
ESQUIRE—(800) (25c-40c) 7 days. Gross: $5,000. (Average, $3,000)

**"Three Smart Girls Grow Up" (Univ.)**
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $6,500. (Average, $3,500)

**"Broadway Serenade" (M-G-M)**
**"Blondie Meets the Boss" (Col.)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $10,700. (Average, $11,500)

**"The Story of Vernon and Irene Castle" (RKO)**
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $8,700. (Average, $5,000)

**"Alexander Graham Bell" (20th-Fox)**
**"Everybody's Baby" (20th-Fox)**
FOX TOWER—(2,200) (25c-40c) 7 days. Gross: $6,300. (Average, $5,000)

## Three Companies Formed

Albany, April 17.—New theatrical incorporations here include Roemac, Inc., by David J. Wolper, J. Richard Chernok and Sydney M. Spector; Greene Enterprises, Inc., Syracuse, by Maurice Goldberg, Rose Kaplan and Hyman Pearlman, and Torvic, Ltd., by Charles G. Stewart, Arthur E. Muller and Victor Payne-Jennings.

## Snyder to Hoffberg

Robert Snyder has joined J. H. Hoffberg as a special sales representative. Snyder is on a tour of the east.

Sounds as good as it looks —and it looks like a million!

New RCA PHOTOPHONE MAGIC VOICE of the SCREEN
with Rotary Stabilizer
PLUS SHOCK PROOF DRIVE

Designed for any theatre— regardless of size.

PHOTOPHONE RCA HIGH FIDELITY SOUND

### Young, Durstine Form New Agency

**John R. Young, in association with Roy Durstine and a number of others well known in agency circles, are organizing a new advertising agency. Formal announcement of the new venture is expected within a fortnight.**

**Young, with Raymond Rubicam, founded the Young & Rubicam Agency in 1922. That agency now is one of the most important in the field. Young retired a number of years ago and has been inactive since. Durstine last week retired as president of Batten, Barton, Durstine & Osborn.**

### CBS Again Will Air New York Race Meet

CBS will again cover the New York Racing Association meets, running to Nov. 4. However, because the New York station of the network, WABC, will be occupied with the broadcasting of the baseball games of the New York Giants and Yankees, the network has made a deal with WMCA whereby the latter station will serve as the network's New York City outlet for the racing broadcasts.

### Quaker Off for Summer

Quaker Oats Co., sponsoring the "Dick Tracy" series over NBC, will go off the air for the summer, with the last program scheduled for May 1. Other sponsors who have notified the network of similar intention are Ballard & Ballard, sponsoring the Ed McConnell series, which will go off the air April 29, and Harvey-Whipple Co., removing its show May 10.

### 'Radio Digest' Sued

Cecelia Co., publisher of *Radio Digest,* has been named defendant in a suit filed in the U. S. District Court by Annie Lazar, which seeks $20,000 damages and an injunction against the use of the title, "Radio Digest." Plaintiff claims ownership of the title from a previous magazine.

### Glaenzer Joins WMCA

Bob Glaenzer, formerly of Myron Selznick, Ltd., has joined WMCA as sales contact with agencies and clients of the Artists Bureau. Charles Wilshin will continue as representative on theatres, pictures and personal appearances. Another new appointment is Al Hall as studio director in charge of network coordination.

### Seek Television Talks

LONDON, April 17.—Radio Manufacturers' Association has asked the Postmaster General to receive a deputation on television and will formally guarantee the British Broadcasting Corp. against financial loss if it will establish a television transmitter at Birmingham.

### Weed WEBR Agent

Weed & Co., national representatives, has been appointed national sales organization for WEBR, Buffalo. The station is a basic Blue NBC outlet and is owned by the Buffalo *Evening News.*

## ▸ Radio Personals ◂

BURNS and Allen and entire radio troupe leave Hollywood April 29 for New York to do eight shows from Manhattan . . . Doug Browning of WLW has resigned to join NBC as a New York announcer . . . Harrison Forman, Sino-Japenese war photographer for the March of Time, will appear on the "Nation's School of the Air" program tomorrow morning over Mutual . . . Jean Sablon returns here from France today to resume his broadcasts.

+

Sidney Flamm of WMCA became a father again—a second girl . . . VIVIAN BROWN, secretary to AL SIMON, of WHN, will be married Thursday to SAM GLASER.

+

Fred Weber, Mutual general manager, to Washington on business. . . . Polly Shedlove, who conducts a series of women's programs on WHN, celebrates her first year on that station today. She came to WHN from KSTP, Minneapolis.

### Telecast Schedule Set by NBC-RCA

(Continued from page 1)

activities, and that NBC has voluntarily decided not to enter into competition with the newsreel companies.

**Start April 30**

The subjects on the opening telecast will include the opening parade and subsequent ceremonies, and the address of President Roosevelt, at the World's Fair. The remainder of the schedule will consist of films and will come from Radio City.

Regular evening programs will be given on Wednesday and Friday of each week, beginning May 3, from 8 to 9 P. M. Outdoor pickups of news events will be offered on Wednesday, Thursday or Friday afternoons. The minimum will be two hours of television programs a week over the NBC television station, W2XBS, which operates on a picture frequency of 45.25 megacycles and a frequency of 49.75 megacycles for associated sound.

The programs will be visible over a distance of approximately 55 miles in all directions from the Empire State building tower, where NBC's transmitter is located.

**Special Commercials**

In addition to the schedule of "entertainment" films, there will be a special schedule of commercial films.

These transmissions will be made five days a week. They will consist of 10-minute periods at 15-minute intervals.

On Mondays, Tuesdays and Thursdays of each week, film transmissions will take place from 11 A.M. until 4 P.M. On Wednesdays and Fridays they will begin at 4 P.M. and continue until 8 P.M., the starting period for the regular evening studio presentations.

### Street Leaves NBC

Julian Street, Jr., has been appointed secretary of the Museum of Modern Art. He takes the post after 11 years with NBC.

### 800 Per Cent Gain

**San Francisco, April 17.—Spot billing on KPO, NBC Red station, in 1938 reached $85,905, 800 per cent gain over 1937, according to figures just released. Sixty per cent of the spot business represented electrically transcribed programs and announcements.**

**KGO, Blue network outlet, showed a 32 per cent gain over 1937.**

### Metropolitan Life in New Program Today

Metropolitan Life Insurance Co., long rumored about to return to radio, has set a local program over WNEW, featuring Edwin C. Hill in a series of nightly talks in case histories from the files of the company. Program bows in tonight as a surprise feature.

It is understood that other local stations in the Metropolitan area will also be lined up for similar series, but not with Hill.

Meanwhile, it is learned that plans for a national network campaign have not been abandoned. Young & Rubicam, the agency handling the Metropolitan radio account, is still trying to assemble a satisfactory national program. Metropolitan Life was one of radio's earliest time users, sponsoring the early morning exercise programs from the Metropolitan Tower over NBC. The company left the air years ago.

### Macfadden Renews Show

Macfadden Publications have signed a year's renewal for time on NBC-Blue for the "True Story" program. Besides the renewal, the company has signed for 18 additional stations. Previously heard over 25 stations, the network hereafter will consist of 43 outlets. Arthur Kudner, Inc., is the agency.

### Opticians on WHN

Community Opticians has entered a contract for 24 quarter-hours on WHN, one of its largest orders. Contract calls for participation in the Zeke Manners broadcasts, the Art Green program, the "Community Reporter," the latter to originate in the lobby of Loew's State Theatre.

### Set Deals on "Manchu"

Radio Attractions, Inc., has closed deals with three more stations for broadcasting rights to the company's transcribed series "Shadow of Fu Manchu" in their respective territories. The stations are WHAS, Louisville; WSAZ, Huntington, W. Va., and WBNS, Columbus.

### Fisher to White House

Sterling Fisher, CBS director of educational broadcasts, has been invited as a member of President Roosevelt's White House conference on Children in Democracy. Fisher will leave for Washington April 26.

### Cooper in Guild Show

Deanna Durbin, Gary Cooper, Patsy Kelly and Parkyakarkus will appear in an original musical in the Screen Actors' Guild program over CBS April 23.

## Banner LINES

APRIL 8, on their "Vox Pop" pr gram, Wally Butterworth a Parks Johnson asked their rad audience for an expression of opini on the query, "Are You In Favor Double Bills at the Movies?" column asked for, and has receiv breakdown of the voting from the pr ducers of the show.

Approximately 8,800 listeners pa ticipated in the contest, and the votin was as close as a photo finish at th race track—49 per cent favored doub bills, and 51 per cent voted again the practice. Generally, the opini of those for the double features wa that these are parlouos times, and dur ing such periods a bargain is, c should be, appreciated. Those wh are against double features generall feel that way because of the inferic entertainment qualities of the con panion picture.

It seems reasonable to assume tha the 49-51 percentage is typical of th nation. The "Vox Pop" program i carried over 23 stations of the Re network of NBC, Saturday nights, a far west as Kansas City.

▼

*RCA gratuitously delivered a lovin pat to newspapers Sunday in the sec ond commercial on the RCA "Magi Key" program. Instead of trying t sell radio sets, the copy was devote wholly to a plug of newspapers. Som of the typical expressions were . . "your key to the riches of radio i your newspaper—the program time table printed there daily for the con venience and benefit of you and al other listeners . . . your newspaper i providing this broadcast informatio performs a valuable service to you a a listener . . . your newspaper an your radio, companions for your en joyment."*

*That's a step in the right direction and it should be carried further to oc casionally pay tribute, gratuitously, t the motion picture industry and t those who conduct the neighborhoo motion picture theatres.*

▼

**Stuart Allen is seriously ill, an Barry McKinley will fill in for Allen on the Georgie Jessel shows.**

▼

Paul Whiteman's orchestra went t Boston Sunday night to play a concert in the Hub City. Schedule called for the orchestra to play "Cowbell Serenade," Walter Gross' composition, and as the expression has it, pandemonium reigned when it was discovered that the drummer had forgotten to cart along the three bells, tuned to the keys of A, D and F, that are necessary for proper rendition of the number. Hub music stores were scoured for bells of those keys, and fortunately, were obtained in time.

—JACK BANNER

### Emerson Show on WMCA

Emerson Radio and Phonograph Co. begins a 13-week series over WMCA Monday, to be heard Mondays, Wednesdays and Fridays thereafter. Series is to be a news broadcast assembled from International News Service bulletins. WMCA also will feed the program to WOL, Washington. Lightfoot Associates placed the account.

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 45. NO. 75 NEW YORK, WEDNESDAY, APRIL 19, 1939 TEN CENTS

# I. A. T. S. E. STRIKE CALL IS AVERTED

## Four Studio Unions Ask Browne to Put Off Action

HOLLYWOOD, April 18.—George E. Browne, president of I.A.T.S.E., today was asked by officers of four studio locals to withhold a general strike call pending successful consummation of new bargaining agreements with producers, thus ending the danger, temporarily at least, of an industry-wide walkout.

This action followed immediately notification to locals by Victor Clarke, producer-labor contact officer and aide of Pat Casey, that Casey, now in New York, would return to the coast within two weeks "to continue negotiations for a new agreement."

Indicating possible settlement of intramural strife of Alliance within a short time were the postponement today for two weeks of the scheduled grand jury investigation of alleged labor racketeering involving Alliance's two percent assessment of 1936 and 1937 and, continuance for one week of Alliance and local officers' counter suits in Superior Court.

The wire to Browne in New York was signed by Harold V. Smith, international officer and business representative of Sound Technicians 695; Herbert Aller, Studio Photographers 659; Thomas C. Bryan, Laboratory Workers 683; and Lew Blix, acting for Local 37.

E. H. Fitzgerald of the Federal Labor Conciliation Bureau, is investigating the entire intramural and extramural turmoil of the I.A.T.S.E. upon orders from Washington. Fitzgerald said tonight he is not entering the picture other than reporting back to his superiors, but said his offices are ready to bring about mediation of the disputes if desired.

## Film Financing Of Plays Held Unlikely Now

### See No Plan Before Fall; Guild Report Today

With the legitimate stage season almost at an end, little hope is held for an agreement between film producers and the Dramatists' Guild which will bring back Hollywood nancing before the late fall. After more than a year of informal conferences, the guild council will hear its irst report at a meeting today.

With many important angles to be discussed, the plan will not be voted upon today except if the council should reject entirely the idea of a compromise with film backers. Instead the basic idea will be considered and Robert E. Sherwood, president, will be given an opportunity to express his views before leaving for London on he details of the tentative agreement which was reached by a negotiating committee consisting of Sidney R. Fleisher, theatrical attorney, J. Robert Rubin, vice-president of Loew's. and Jake Wilk, Warner story editor.

**Acceptance Uncertain**

The tentative agreement, however, is far from a complete contract. Its acceptance by major film companies is still uncertain, as there are many points concerning the responsibility for management which are yet undetermined. If it is accepted by both groups, however, approval will still have to be obtained from the League of N. Y. Theatres, which is a party to the basic agreement.

Unless the idea of a purchase of film rights before production of a play is completely rejected today, the council will continue consideration of the proposed modifications in Sherwood's absence. Sherwood favors the plan and does not wish further delays.

## New York Fund Film Group Meets Today

Organization meeting of the motion picture group of the Greater New York Fund annual drive will be held at a luncheon in the north ballroom of the Hotel Astor today. Plans will be outlined for raising the $100,000 quota set for the film industry and the operation of the group will be discussed.

J. Robert Rubin, Loew's vice-president and chairman of the film committee, called the meeting and will preside. Those expected are Jesse Mills, Maurice Silverstone, William A. Orr, Don Mersereau, Sam Shain, Austin

(Continued on page 6)

## Film Council Asks No Quota Changes

**London, April 18.—Oliver Stanley, president of the British Board of Trade, declared today in the House of Commons under questioning by Harry Day that he has received no representations from the Films Council calling for variations in the quota schedules to adjust the alleged deficiency in attractive films.**

## F. C. C. Postpones Action on Setting Up Television Code

WASHINGTON, April 18. — Federal Communications Commission today suspended action on establishment of technical standards for commercial operation of television pending further investigation.

The commission's action was taken after its television committee returned from inspection of New York and Philadelphia plants.

The committee revealed that certain groups believe that, from a technical standpoint, television is ready for the public. Others, however, were found to hold the opinion that the standards proposed by the Radio Manufacturers' Association are not sufficiently flexible to permit future technical development without the danger of rendering obsolete receivers sold in the near future.

The committee will gather more information and may hold public hearings before submitting a report to the commission.

## Distributors Planning New Pact Parleys

Distributors' trade practice committee is considering starting meetings next week on elaboration of the arbitration procedure and machinery provided in the trade practice code. Arbitration provisions were left open for further discussion with exhibitors.

William F. Rodgers, M-G-M general sales manager, said that the committee meetings will start when suggestions for revision have been received from all exhibitor organizations which participated in the negotiations. While all groups have expressed themselves, not all have as yet submitted recommendations.

The distributors' committee desires full discussion of the code by exhibitor groups and welcomes suggestions. However, as previously emphasized, the concessions offered will not be changed, and only the phraseology and the arbitration setup are subject to revision.

Of the eight or nine exhibitor organizations which conferred with the distributors, only the Intermountain Theatres Association of Salt Lake City has rejected the code without qualification. Details of the objection have not been made known. John Rugar is president of the association.

## U. S. Plans Radio Station As Link to Latin America

WASHINGTON, April 18.—Establishment of a Government radio station, to broadcast American programs to Latin America, will be recommended in a report on foreign radio activities in the sister republics just concluded by Government officials, it is understood.

The officials, headed by Frank R. McNinch, chairman of the Federal Communications Commission, and including representatives of the Departments of State, Interior, Justice and Commerce, conducted their investigation quietly.

The inquiry has reached the report stage, and the document, when completed, will be placed before President Roosevelt. Previous attempts to pass legislation for the construction and maintenance of a Government station have resulted in failure, primarily because of intercession by private stations, which maintain they are broadcasting a sufficient number of programs to that audience.

The report, it is stated, will reveal that Germany and Italy are extremely active in spreading the totalitarian philosophy in South and Central America in news broadcasts two and three times a day. The broadcasts are sent by short-wave and are picked up by numbers of stations and rebroadcast throughout the Americas.

## Nazis Reported to Have Banned 'Fame'

**The Nazis have banned three American and two English publications, according to dispatches from Berlin last night. Among them are the *Saturday Evening Post* and *Fame*. Quigley Publications issues an annual titled *Fame*. No other publication of that name is known in New York. *Motion Picture Herald* was banned by the German Government about a year ago.**

# 31 New Films Are Shooting on Coast

HOLLYWOOD, April 18.—Thirty-one pictures are before the cameras this week, as six started and nine finished. Thirty-one are being prepared, and 54 are being edited.

Started were: "Golden Boy," Columbia; "Andy Hardy Gets Spring Fever," M-G-M; "Down the Wyoming Trail," Monogram; "The Star Maker," "Lawful Outlaws," Paramount; "Tidal Wave," Republic.

In addition to these, shooting were: "Good Girls Go to Paris, Too," "Mr. Smith Goes to Washington," Columbia; "Music School," Goldwyn; "On Borrowed Time," "Mazie Was a Lady," M-G-M; "Geronimo," "What a Life," "Million Dollar Legs," "The Cat and the Canary," "Heaven on a Shoestring," Paramount; "Little Mother," "Five Came Back," "The Dove," RKO; "All the Tomorrows," Republic; "Gone With the Wind," Selznick; "The Man in the Iron Mask," Small; "Young Mr. Lincoln," "Second Fiddle," "It Could Happen to You," "East Side, West Side," 20th Century-Fox; "The Sun Never Sets," "Old Grad," Universal; "The Old Maid," "Give Me a Child," "Lighthorse Harry," Warners.

Finished were: "The Power to Kill," Darmour-Columbia; "Arizona Cowboy," Columbia; "6,000 Enemies," M-G-M; "Wolf Call," Monogram; "Racketeers of the Range," RKO; "Headin' for Texas," Republic; "Ex-Champ," "They Asked for It," Universal; "Battle of City Hall," Warners.

Columbia started one short subject and finished it. M-G-M is preparing two, and RKO, one. Fifteen are being edited.

## *Reserve Decision in Patent Suit of Crites*

After a trial lasting almost a month, Federal Judge Mortimer W. Byers yesterday reserved decision on a patent suit brought by Virgil C. Crites against Warner Bros. Pictures, Albert A. Radtke, Leonard Day, Thomas J. Martin, Radtke Patents Corp., and United Research Corp., a Warner subsidiary.

The suit, which seeks an injunction and an accounting of profits, involves assignment of a patent providing "methods of and means for optically recording and reproducing sound." It was brought in 1937.

Warners were brought into the suit indirectly, according to attorneys. The suit is described as a contract action in which Crites claims he is entitled to the patent under an alleged agreement with Radtke, who invented the system while working for Crites. Homer G. Tasker, former president of the Society of Motion Picture Engineers, was a witness for the defense. Joseph D. Karp was trial lawyer for Warners.

## *Continue N.H. Vaudeville*

NEW HAVEN, April 18.—Arena has again scheduled seven acts of vaudeville, topped by a big name band for Sunday April 30, with Mal Hallett as the star. Paul Whiteman and Glen Gray drew packed houses at previous Sunday engagements. The vaudeville is a trial policy for this sports arena.

# *Purely Personal*

WILLIAM BOEHNEL, MORRIS HELPERIN, MONROE GREENTHAL, MORRIS KINZLER, FRED MEYERS, MAX FELLERMAN, IKE LIBSON, JOEL SWENSON, LESTER JACOB, AL MARGOLIES, CARLOS ISRAELS, MYER BECK, JACK SICHELMAN, ABE SCHNEIDER and LOUIS WEINBERG lunching in Lindys yesterday.

•

FRED ASTAIRE sailed yesterday on the *Georgic* for a vacation in England, where he will visit his sister, LADY CAVENDISH.

•

MRS. B. J. GOTTLIEB, wife of the general manager of Vedis Films, Inc., arrived on the *Ile de France* after spending four years in Europe. She was accompanied by their daughter, JOYCE.

•

CLIFF LEWIS of the Paramount studio publicity department, is in Cincinnati arranging advance publicity on the arrival of the "Union Pacific" train.

•

M. J. SIEGEL, Republic production head, is not attending the regional sales meetings, due to pressure of work at the studio.

•

N. NAPOLI, Amkino executive, has flown to the coast for a 10-day stay.

FRED W. LANGE, Paramount's general foreign representative in Continental Europe, sails today on the *Conte di Savoia* from Europe for home office conferences with JOHN W. HICKS, foreign department head.

•

GEORGE FRIEDL, director of the sound engineering division of International Projector Corp., flew to the S.M.P.E. convention on the coast and will remain in Hollywood for several weeks.

•

GODFREY TEARLE and MARGARET RAWLINGS, co-stars of "The Flashing Stream," sailed for England yesterday on the *Georgic*. A. E. Matthews, English actor, also was aboard.

•

LOUISE ROUSSEAU of the RKO Pathe production staff has left for a tour of midwestern exchanges.

•

CHARLES LIGHT, DAVID PALFREYMAN and VIVIENNE SEGAL today celebrate their birthdays.

•

BEN KALMENSON, western and southern sales manager for Warners, yesterday left on a three-week tour of his territory.

•

H. M. RICHEY of RKO returns from Columbus today.

## *To Place Television In G. B. Office Here*

First installations of Baird television apparatus will be in the offices here of Gaumont British. The apparatus will be brought here by I. C. Javal, commercial director of Baird Television, who arrives April 28 with a staff of engineers.

The theatre now used by Gaumont British as a projection room will be wired for television and thereafter the different models of home television apparatus manufactured by Baird in England will be demonstrated here.

## *Delay "Mamlock" Verdict*

PROVIDENCE, April 18.—Rhode Island Supreme Court reserved decision today after a hearing on police censorship of Amkino's "Professor Mamlock," scheduled to play the Avon here.

## *100 Booths Expected At Allied Exposition*

About half of the exhibition space at the New York Allied annual convention and exposition, at the Hotel Astor, May 23 to 25, has already been spoken for, according to E. Thornton Kelly, executive secretary and general chairman of the event. There will be close to 100 booths for equipment manufacturers and supply companies, as well as film companies.

Max A. Cohen, president of Allied, will call a meeting of the large reception committee in a few days. All exhibitors in the United States and Canada will be invited.

## *Postpone Adelphi Case*

CHICAGO, April 18.—Adelphi Theatre anti-trust case here, scheduled to be heard today, has been postponed to May 15, as attorneys for both sides are engaged on other cases at this time.

# *The Newsreel Parade*

*Important events such as Roosevelt's Pan-American speech, the naval fleet ordered to the Pacific and Lindbergh's return to America are included in all the new issues, contents of which follow:*

MOVIETONE NEWS, No. 63—Roosevelt speaks. Fleet called to Pacific. Blast sunken ship. Lindbergh and Barbara Hutton return to U. S. Beck in England. French president reelected. Fashions. Lew Lehr. Jamaica racetrack opens. Baer in training. Crew race.

NEWS OF THE DAY, No. 261—Pan-American address. Fleet ordered to west coast. Lebrun reelected. Lindbergh and Hutton arrive in New York. Reenact Washington's inaugural trip. Dynamite wrecked boat. Wrestling. Horse racing.

PARAMOUNT NEWS, No. 74—Lindbergh arrives. Washington's journey to New York is reenacted. Sculpture display. Working girls home is opened. Peace plea. Roosevelt pledges support to Pan-America; message sent abroad. Fleet ordered to west coast. Bruins win hockey title. Wrestling. Racing at Jamaica.

RKO PATHE NEWS, No. 78—Roosevelt's Pan-American speech. Pittman speaks. Fleet prepares for Pacific departure. Reelection of Lebrun. Pageant of Washington's journey. Nazis welcome new protector. Stanley Cup final game. Kentucky derby preview.

UNIVERSAL NEWSREEL, No. 763—Washington's inaugural ride reenacted. Roosevelt speaks. Lindbergh and Hutton arrive. Airplane factory in England. *Yankee Clipper* returns. Tornado hits midwest. Sculptors Guild Show. Jamaica track opens.

## *'Mexicana' to Open*

**Sponsored by the Mexican Government, "Mexicana," a musical record of Mexico's historical highlights, opens tonight at the 46th St. Sam Spiegel is the director, and Mexico itself is the producer. There is a cast of 142.**

## *Bandit Steals Cas[illegible] Car, Film Equipment*

SCRANTON, April 18.—Joseph Janush of West Harford, Conn., is recounting a disastrous trip to the mining town of Duryea, near here.

Janush showed several reels of Lithuanian travel pictures in St. Joseph's Lithuanian Church, Duryea. After the audience departed, Janush packed his projection equipment in his car in front of the church. He placed the last piece of equipment, a seven-foot screen, when an unmasked bandit opened the door to his car and asked for a ride.

Janush refused and the bandit stepped into the car, stuck a revolver in his ribs and ordered him to start. Janush drove to an isolated spot three miles away, where the bandit took $110 in cash, the car and film equipment, which Janush valued at $7,000. Moreover, Janush had to walk three miles in the rain before he reached the Duryea police.

## *Union 25 Years Old*

SCRANTON, PA., April 18.—Scranton Local No. 329, projectionists' union, observed the 25th anniversary of its founding with a dinner-dance. Guests of honor among the 300 attending included the five surviving members of the group of eight who founded the local in 1914.

## *Purchases French Film*

E. I. Lopert, president of Juno Films, has purchased American distribution rights to "The End of the Day," French film directed by Julien Duvivier.

## *'Prentice' Is Retitled*

M-G-M has set "Stronger Than Desire" as the new title for "Evelyn Prentice."

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; Colvin Brown, vice-president and treasurer.

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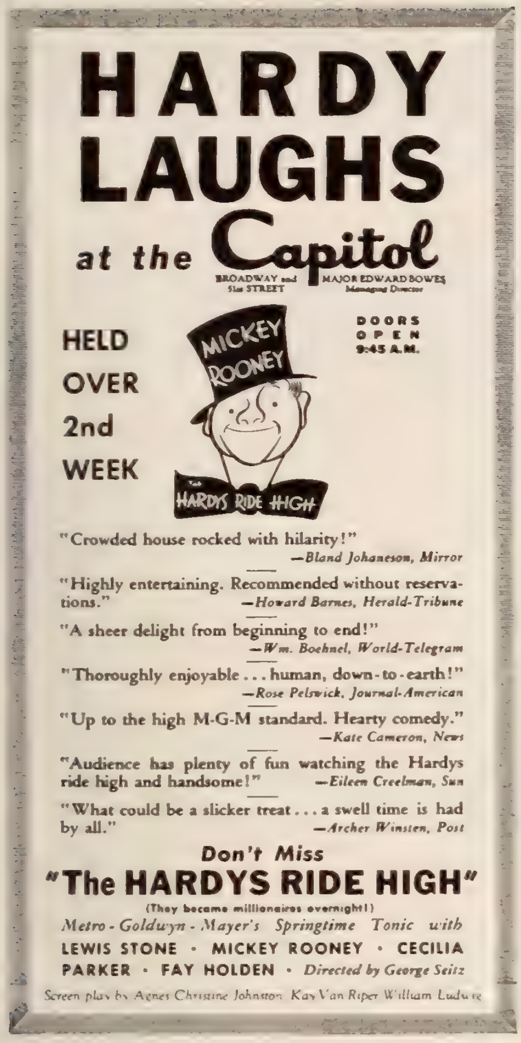


# HARDY LAUGHS

at the **Capitol**

BROADWAY and 51st STREET

MAJOR EDWARD BOWES
Managing Director

**HELD OVER 2nd WEEK**

DOORS OPEN 9:45 A.M.

MICKEY
ROONEY
THE
HARDYS RIDE HIGH

"Crowded house rocked with hilarity!" —*Bland Johaneson, Mirror*

"Highly entertaining. Recommended without reservations." —*Howard Barnes, Herald-Tribune*

"A sheer delight from beginning to end!" —*Wm. Boehnel, World-Telegram*

"Thoroughly enjoyable . . . human, down-to-earth!" —*Rose Pelswick, Journal-American*

"Up to the high M-G-M standard. Hearty comedy." —*Kate Cameron, News*

"Audience has plenty of fun watching the Hardys ride high and handsome!" —*Eileen Creelman, Sun*

"What could be a slicker treat . . . a swell time is had by all." —*Archer Winsten, Post*

Don't Miss

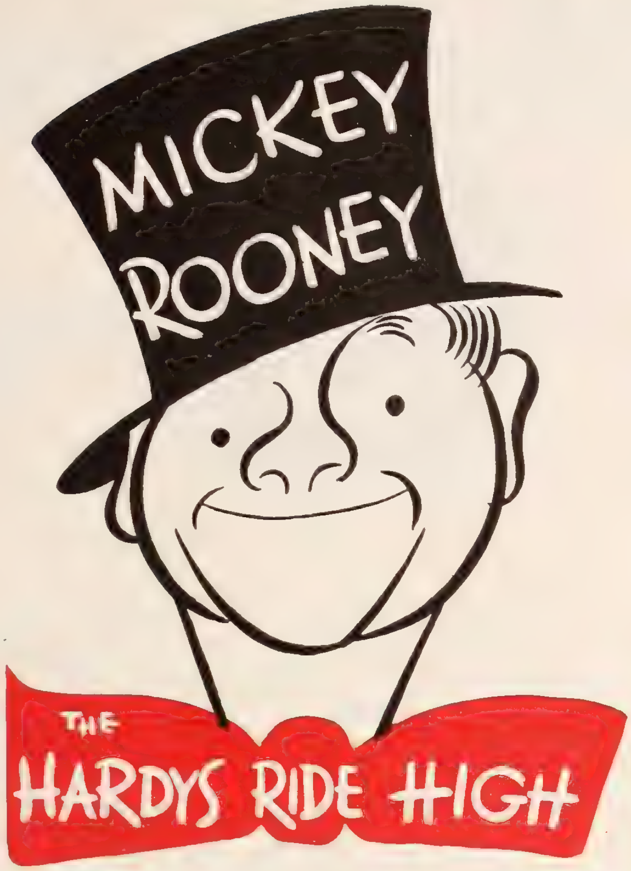
**"The HARDYS RIDE HIGH"**

(They became millionaires overnight!)

*Metro-Goldwyn-Mayer's Springtime Tonic with* LEWIS STONE · MICKEY ROONEY · CECILIA PARKER · FAY HOLDEN · *Directed by George Seitz*

Screen play by Agnes Christine Johnston, Kay Van Riper, William Ludwig

*(Above from extra-space ad campaign)*



**Note to Ad-men!**

*Use this cartoon in your campaign. You can reproduce direct from the above.*

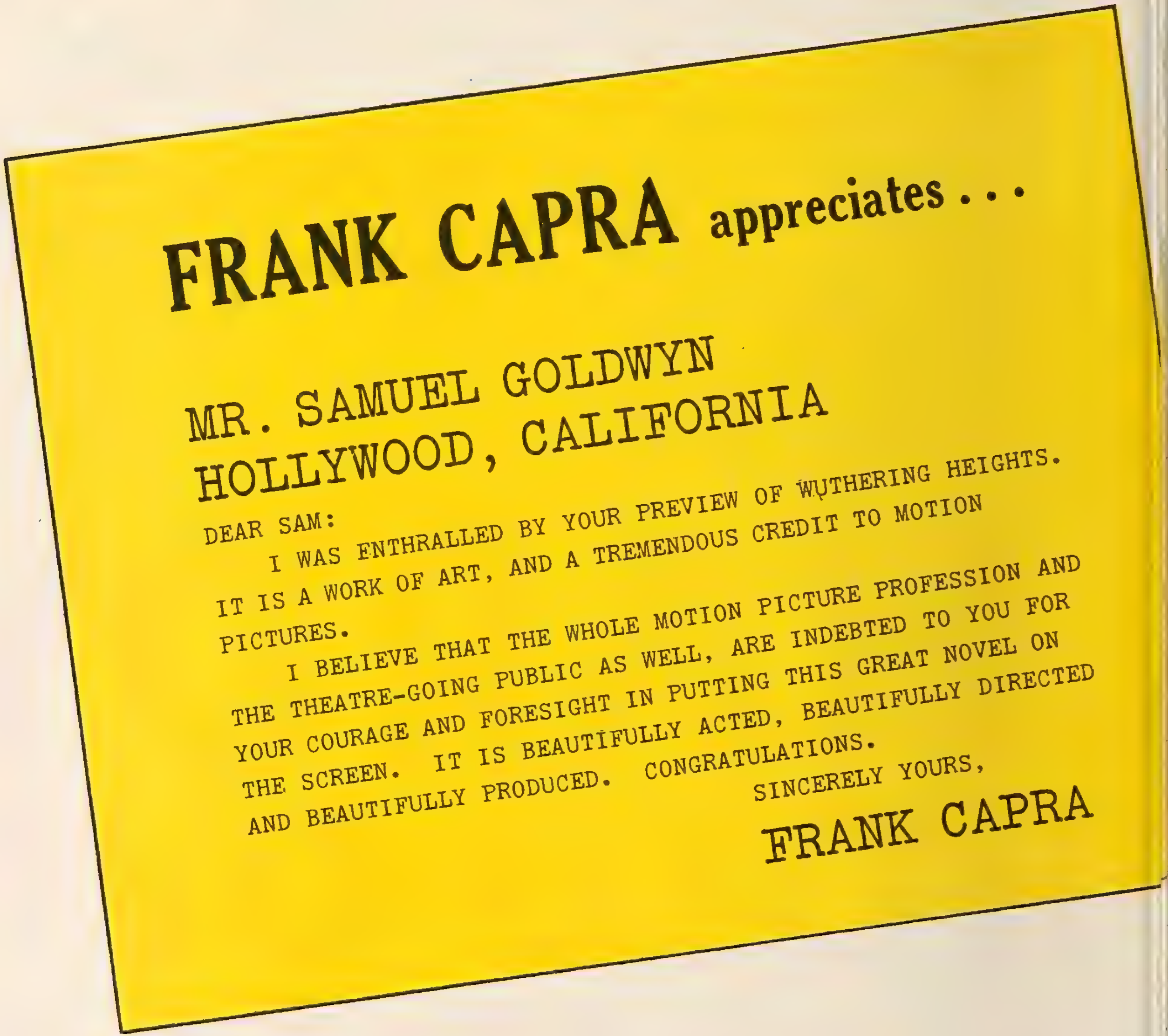
# HARDY HOLD-OVER BUSINESS!

## 2nd Week at Big Capitol, N.Y., is your tip-off to hold extra time open!

*(And the next in M-G-M's Springtime Fanfare of Hits is Myrna Loy, Robert Taylor in "Lucky Night." And more lucky nights and days thereafter!)*

# THE STANDARDS

# 3 in all SAMUE



## FRANK CAPRA appreciates . . .

MR. SAMUEL GOLDWYN
HOLLYWOOD, CALIFORNIA

DEAR SAM:

I WAS ENTHRALLED BY YOUR PREVIEW OF WUTHERING HEIGHTS. IT IS A WORK OF ART, AND A TREMENDOUS CREDIT TO MOTION PICTURES.

I BELIEVE THAT THE WHOLE MOTION PICTURE PROFESSION AND THE THEATRE-GOING PUBLIC AS WELL, ARE INDEBTED TO YOU FOR YOUR COURAGE AND FORESIGHT IN PUTTING THIS GREAT NOVEL ON THE SCREEN. IT IS BEAUTIFULLY ACTED, BEAUTIFULLY DIRECTED AND BEAUTIFULLY PRODUCED. CONGRATULATIONS.

SINCERELY YOURS,

FRANK CAPRA

## "'WUTHERING HEIGHTS' IS A MASTER

*BRILLIANT DIRECTION . . . When I entrusted the directio*
*the complete confidence of a producer who has implicit faith in the t*
*of this film has more than justified my faith in him and in his talents. I*
*the Press, in expressing to Mr. Wyler my keen appreciation of a truly bri*

# F SHOWMANSHIP

# OLDWYN Productions

## MIAMI, FLA. EXHIBITOR verifies . . .

SAMUEL GOLDWYN
UNITED ARTISTS STUDIOS

HAPPY TO ADVISE YOU OF SENSATIONAL OPENING WUTHERING HEIGHTS OUR LINCOLN THEATRE MIAMI BEACH YESTERDAY. GROSS FAR EXCEEDED OUR EXPECTATIONS WITH STANDOUT BUSINESS ALL DAY. THIS IS PARTICULARLY SIGNIFICANT AS WINTER SEASON HAS BEEN OVER FOR TEN DAYS AND THIS IS THREE DAYS BEFORE EASTER. I KNOW YOU WILL ALSO BE GLAD TO HEAR THAT OUR AUDIENCES ARE RAVING OVER LAURENCE OLIVIER'S PERFORMANCE. THE WOMEN ARE OH-ING AND AH-ING EVERY TIME HE COMES ON THE SCREEN. AM SURE YOU HAVE UNCOVERED A NEW STAR. THE PICTURE IS A DEFINITE HIT. REGARDS.

SIDNEY MEYER
WOMETCO THEATRES
MIAMI, FLORIDA

# IN EVERY SENSE OF THE WORD!"

(JOHN HOBART, *San Francisco Chronicle*)

*THERING HEIGHTS to William Wyler, it was with*
*his director. Needless to say, Mr. Wyler's direction*
*the other members of my organization, and with*
*of screen direction.* Samuel Goldwyn

Released thru
UNITED
ARTISTS

# Iowa T. O. Takes No Action on Pact

DES MOINES, April 18.—Allied I. T. O. of Iowa and Nebraska wound up a two-day session here without accepting or rejecting the proposed trade practice code. Unanimous endorsement was given to the Neely bill. The meeting decided that the trade practice draft represented an advance but was inadequate to overcome all abuses.

Leo F. Wolcott, president, presided at the convention, which was held at the Kirkwood Hotel. Discussion of rentals occupied the major part of the morning session. Present terms, it was said, are out of line with business conditions and tentative plans were made for district meetings later to discuss the subject further. H. E. Rehfield, owner of the Iowa, Bloomfield, was elected to the board of directors to fill the unexpired term of M. R. Blair, of Cedar Falls, who resigned. Republic entertained the members with a special screening of "Man of Conquest."

## RCA Suit Application Will Be Heard Today

Application to the N. Y. Supreme Court of Benjamin M. Golder, holder of 1,500 shares of common stock of RCA; Frank Blum, holder of 100 shares, and Anna Weill, holder of 100 shares, will be heard today for permission to intervene in the stockholders' suit against RCA, its officers and directors; American Telephone & Telegraph Co., Westinghouse Co. and General Electric Co.

Golder claims to hold more shares than the combined stockholders of eight previous suits consolidated by direction of Justice Aaron J. Levy on March 21. Defendants are charged with the transfer of a large block of RCA stock without compensation to the company.

## New York Fund Film Group Meets Today

(*Continued from page* 1)

Keough, Harold Rodner, W. C. Michel, Ned Depinet, J. Cheever Cowdin, Harry Buckley, B. S. Moss, Fred Schwartz, Lawrence Bolognino, Joseph Seider, William Morris, Jr., William Pizor, C. H. Secor, Jean Lenauer, Al Senft, C. C. Moskowitz, Maurice Kann, Nate Spingold, Jack Alicoate, Harry Brandt, Martin Quigley, W. Ray Johnston, James R. Grainger, Major L. E. Thompson, Samuel Cocalis, Samuel Rinzler, Walter Reade, Eddie Rugoff, Max Cohen, Fredric March, Herbert J. Yates, Joseph Burstyn, Charles O'Reilly, Herman Robbins, Charles Casanave, Samuel Strassburg.

## C. E. A. Elects Mears

LONDON, April 18.—Harry Mears today was elected vice-president of the Cinematograph Exhibitors' Association, in a runoff election following a tie for the position at the C.E.A. annual elections recently.

## 'Waltzes' Opens Monday

"Three Waltzes," French Film, will open Monday at the Filmarte for an extended run. The picture is released here by Vedis Films, Inc.

## Bertha Kalich Dies

**Bertha Kalich, 64, died last night at Beth Israel Hospital where she had been a patient since Thursday.**

**She was famous for years as an actress on the Yiddish stage, appearing at the old Thalia Theatre on the East Side, and later played English speaking roles and was in pictures. She started her career in Lemberg in the early 1890's, and retired eight years ago because of an eye ailment.**

## Projection, Sound Sessions at SMPE

HOLLYWOOD, April 18.—Visit to Paramount studios, a projection session and the first of three sound sessions featured the second day of the Society of Motion Picture Engineers' spring convention. The studio visit was under the direction of Loren L. Ryder, director of recording.

During the morning session on projection, papers read were "Screen Color and Brightness," by H. C. Harcus, Technicolor; "Motion Picture in Education," by A. Shapiro, Ampro Corp.; "Lamps and Optical Systems for Sound Reproduction," by F. E. Carlson, General Electric; "Status of Lens Making in America," by W. B. Rayton and G. Giroux, Technicolor, and "A Sound-Track Projection Microscope," by G. M. Best of Warners. H. W. Remerschied presided.

W. B. Boynton, of Bausch & Lomb, drew enthusiastic response when he declared at the morning session that American lens makers no longer depend upon European sources for raw materials or technological genius.

B. F. Miller was chairman of the sound session at the Filmarte, when the following papers were read: "Methods of Using and Coordinating Photoelectric Exposure Meters at the 20th Century-Fox Studio," by D. B. Clark, 20th Century-Fox; "Present Technical Status of 16mm. Sound-on-Film," by J. A. Maurer, Berndt-Maurer Corp.; "Recording and Reproducing Characteristics," by K. F. Morgan and D. P. Loye, Erpi; "Analysis and Measurement of Distortion in Variable-Density Recording," by J. G. Frayne and R. R. Scoville, Erpi; and "A New Film Playback," by D. G. Jones.

## N. Y. Allied to Meet

SYRACUSE, April 18.—Formulation of a new clearance and zoning plan for this city will be discussed at a meeting of New York Allied here on Thursday. Other local problems will be discussed and the first of the series of Allied's patriotic trailers will be screened. Rapley E. Merriman, regional vice-president, will preside.

## New Fleischer Cartoon

A new cartoon series to be known as "Stoneage" will be made by Fleischer studio for Paramount release next season. The series will consist of 12 subjects annually and will be based on the adventures of prehistoric characters originated by the studio.

## Erpi Unveils Huge Fair Sound System

Erpi yesterday unveiled a 20-ton sound system, the largest ever built, at General Motors' Highways and Horizon exhibit at the World's Fair. The system, which took more than two years to build and cost $250,000, is an integral part of the exhibit and the "voice" of Norman Bel Geddes' diorama of the country's super-highway system and city planning as he envisions it will be in 1960.

More than 200 persons, including film executives and representatives of Western Electric, A.T.&T. and Erpi, attended the preview, being transported in special cars from Penn Station to the Fair grounds.

Among those attending the preview were Major Albert Warner, Harry D. Buckley, Carl E. Milliken, E. W. Hammons, Ned E. Depinet, E. T. Hines, E. B. Hatrick, Al Finestone, Charles D. Prutzman, Charles Kettering, vice-president of General Motors, T. K. Stevenson, president of Erpi, I. Howard Levinson, Sam Schneider, and a number of A.T.&T., Western Electric and Erpi officials, including J. F. Behan, T. Brooks Price, J. W. Bancker and F. W. Bierwirth, who supervised the system's construction.

## Para. English Sales Meeting May 5 to 7

David E. Rose, managing director of Paramount Film Service, Ltd., of Great Britain and Ireland, plans his first general sales convention in London May 5-7.

Branch managers, salesmen and ad salesmen of all the Paramount exchanges of England, Scotland, Wales and Ireland will attend the meetings. New Paramount product, including "Union Pacific," will be screened for the delegates.

## Transfer Para. Suit

Transfer of the minority stockholders' suit against Paramount Pictures, Inc., and its officers and directors from the N. Y. Supreme Court to the Federal Court was effected yesterday when complaint was filed in the Federal Court. Parties to the action stipulated last week to the change in court. Suit charges waste, mismanagement and excessive salaries and bonuses to Paramount officials.

## Certificates Off Board

In connection with Warners' debenture exchange plan, which is now effective, the New York Stock Exchange has suspended from dealings the company's certificates of deposit for optional six per cent convertible debentures, due next Sept. 1. The Exchange has admitted to listing and to dealings the company's six per cent debentures due Sept. 1, 1948.

## Col. Sets New Shorts

A new series of six one-reel subjects titled "Fools Who Made History," will be released by Columbia as part of its new season short subjects program. The series, which will present biographies of distinguished individuals, will be produced by Hugh McCollum. Jan LeMan will write and direct the subjects.

# Board of 20th-Fox Named Unanimousl

All directors of 20th Century-Fo
were reelected unanimously at the an
nual stockholders' meeting yesterda
at the home office. The directors me
immediately afterward and reelecte
all present officers.

About 35 persons attended [illegible] stockholders' meeting. The annua[illegible]
port was unanimously approved an
no questions were asked. Represente
at the meeting were 340,783 shares o
preferred stock and 1,100,990 share
of common stock, of a total of 935,514 preferred and 1,741,985 commo
outstanding.

## 'Union Pacific' Tour Train Schedule Se

HOLLYWOOD, April 18.—A complet
train schedule has been arranged fo
the special which will tour 45 citie
to mark the opening of Paramount'
"Union Pacific" in Omaha on Apri
28. The train leaves here on Apri
24. It will carry Cecil B. DeMille
producer director of the picture; Barbara Stanwyck and Joel McCrea, co-stars, and others. The train is scheduled to arrive at Buffalo on May
and after a tour of eastern cities wil
start back west on May 8. It is du
back here on May 17.

## Action on Agency an Billboard Bills See

ALBANY, April 18.—Action on th
measures to regulate fees for employment agencies and billboard advertising is expected before adjournment o
the legislature. The employmen
agency bill most likely to be adopte
is the Ostertag measure. The outdoor advertising issue is taken care o
in the Stagg-Todd measure. Opposition of sign painters and organize
labor may bring about a compromis
on the bill but it is expected that th
question of curtailing outdoor advertising will be settled at this session.

## Trustee and Donovan Get RKO Allowances

Federal Judge William Bondy yesterday granted an ad interim allowance of $37,500 to the Irving Trust Co., as trustee of RKO, and $65,000 plus $588 in disbursements to Col. William J. Donovan, as attorney fo
the Irving Trust. Allowances, whic
cover the period of Oct. 1, 1937, t
Sept. 30, 1938, bring the total awarde
Col. Donovan to $310,000, and th
Irving Trust to $192,500. Col. Donovan had requested $95,000, the Irving Trust $85,000.

## Urges Suit Settlement

CLEVELAND, April 18.—Judge Lee E. Skeel has advised Pacel Gasdanovic, operator of the LaSalle here, and 20th Century-Fox, Warners and Paramount to settle a clearance dispute, in view of the fact that the season is almost over. Plaintiff seeks an injunction to prevent prior or simultaneous service to the new Shore on the ground that his contract calls for clearance. Judge Skeel adjourned the injunction plea to permit the parties to settle but will hear it later if no agreement is reached.

## Short Subjects

### March of Time, No. 9”

RKO)

An unusual and highly interesting sight into the troubled situation in e Far East is presented in this arch of Time reel, “Japan: Master the Orient.”

Starting with a view of Japanese in- , and the methods used in meet- war time industrial demands, the el records the Japanese advance in- the coastal area of China. From ere, the camera proceeds to Man- ukuo to show the difficulties Japan encountering in subduing the population there. A final shot of the in- rnational section in Shanghai con- udes the subject. It is done well and hould hold audience interest through- t. Running time, 19 mins. “G.”*

### Jitterbug Follies”

M-G-M)

Milt Gross introduces Count Screw- ose and the Wonder Dog to the ani- ated cartoon field and the result is s funny as any that hit the Sunday omic sections. The Count and his og arrange a jitterbug contest and re prepared to leave town with the rize money when a citizens' commit- ee comes around to insure fair play. fter four or five acts, the Count's ersistent efforts to abscond result in free-for-all. Running time, 9 mins. G.”*

### ‘Stranger Than Fiction”

niversal)

Ingenious as ever, this John Hix eel presents a number of people with trange occupations and avocations. Presented are a cotton-mill worker who builds miniature farms from urnt matches; a youthful owner of n animal art who teaches tricks to pets; a woman whose job is to handle railroad switch tower; a Manhat- an tailor whose hobby, photography, s bringing him fame in the art world; and a number of other interesting studies. Running time, 9 mins. “G.”*

### Canadian Film Board Facing Senate Fight

Toronto, April 18.—Final reading of the bill in the Canadian Senate to provide for the creation of a National Film Board in the Dominion has been held up because of strenuous objections on the part of a group of Senators headed by Arthur Mieghen, Conservative leader, who assert that the proposed board means increased expenditure for the Federal Government as well as a duplication of public service.

There is also the argument that the scope of the board will grow by stages until it will control the whole film business of the country in the manner that radio broadcasting has been usurped by the Canadian Broadcasting Corp.

### Forbid Biological Films

London, April 18.—Certain biological films made for scientific purposes have been refused public showing by the Middlesex County Council, because they “would be offensive to public taste and feeling.” The films are purely biological with a commentary in technical language.

### ‘Love Affair’ Does $10,000, Montreal

Montreal, April 18.—“Love Affair” grossed $10,000 at the Palace, as the wintry weather continued to play havoc with business generally.

The fourth week of “Pygmalion” at Loew's accounted for $5,500. “Oklahoma Kid” replaced the withdrawn “Devil's Island” as the first feature at the Princess and the take was $6,500. “Prison Without Bars” replaced the withdrawn “Wuthering Heights” at the Orpheum and grossed $4,500, compared with $5,000 average.

Estimated takings for the week ending April 15:

**“Midnight” (Para.)**
**“Ambush” (Para.)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $7,500. (Average, $8,000)
**“Ballerina” (G. N.)**
HIS MAJESTY'S—(1,700) (25c-35c-55c) 7 days. Gross: $6,000. (Average, $6,000)
**“Pygmalion” (M-G-M)**
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $5,500, 4th week. (Average, $7,000)
**“Prison Without Bars” (U. A.)**
**“Nancy Drew, Detective” (W. B.)**
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $5,000)
**“Love Affair” (RKO)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $10,000. (Average, $10,000)
**“Oklahoma Kid” (W. B.)**
**“Off the Record” (W. B.)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $6,500. (Average, $6,500)

### FightFilm Exemption From Ohio Sales Tax

Columbus, April 18.—A petition has been filed in Franklin County Court of Appeals by John V. Bostwick, as a taxpayer, against 14 Ohio distributors in which the State Tax Commission's authority to exempt film rentals from the sales tax is challenged. He asks a court order to collect approximately $750,000 claimed due the state from the distributors' unpaid tax on rentals.

Complainant objects to the commission's regulation that sales tax shall not be collected where the right to use personal property is conferred by payment of an admission charge. “Rental of items of tangible property and retail sales of such items are the basis for collection of tax,” the petition recites.

Distributors named are: Big Feature Rights, Columbia, Loew's, M-G-M, Gaumont-British, Grand National, Monogram, RKO, Republic, 20th Century-Fox, First National, Universal, United Artists, Warners and Vitagraph, all of Cincinnati, and Paramount, of Cleveland. An alternative writ of mandamus, answerable May 20, was granted by the court.

### Bingo Is Competitive Factor in Cincinnati

Cincinnati, April 18.—Bingo still offers appreciable theatre competition here despite the fact that under a recent city ruling it now is confined to churches and charitable organizations to which City Manager C. O. Sherrill issues permits.

Police records show that during the first three months of this year, 579 Bingo parties were conducted, in which a total of 510,815 persons participated. Total gross was $382,631.27, of which $91,854.50 was distributed in prizes, leaving a net of $290,776.77. With liberal allowance for decreased attendance during the summer, the total year's business would amount to at least $1,500,000.

### English Theatre to Have Raid Shelter

**London, April 18.—Plans for a new theatre, seating 1,200, at Beeston, include provision for an air raid shelter for use in time of war.**

### ‘Dodge’ Is $9,400 Indianapolis Hit

Indianapolis, April 18.—“Dodge City” pulled a powerful $9,400 at the Circle, topping the town in a moderately good week. Also a good draw was “The Hound of the Baskervilles” on the screen and Orrin Tucker and his orchestra on the stage at the Lyric, with $10,900.

“The Story of Vernon and Irene Castle” at the Indiana grossed $5,400. The weather was chilly.

Estimated takings for the week ending April 14:

**“ . . one-third of a nation . .” (Para.)**
**“The Eagle and the Hawk”**
APOLLO—(1,100) (25c-40c) 7 days. Gross: $2,600. (Average, $2,500)
**“Dodge City” (W. B.)**
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $9,400. (Average, $5,000)
**“The Story of Vernon and Irene Castle” (RKO)**
INDIANA—(3,200) (25c-40c) 7 days. Gross: $5,400. (Average, $5,000)
**“Broadway Serenade” (M-G-M)**
**“The Lone Wolf Spy Hunt” (Col.)**
LOEW'S—(2,800) (25c-40c) 6½ days. Gross: $4,700. (Average, $7,000)
**“The Hound of the Baskervilles” (20th-Fox)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Orrin Tucker and his Orchestra, with Lorraine Sisters, and Bonnie Baker. Gross: $10,900. (Average, $8,000)

### Bergner-Trafalgar Action Is Settled

London, April 18.—Action of Elisabeth Bergner and her producer husband, Paul Czinner, against Trafalgar Productions, for breach of contract, has been settled. Trial of the action in court had been scheduled to start today.

The plaintiffs had claimed damages as the result of an alleged breach of contract in the failure to produce a second of two scheduled films. Sir Patrick Hastings negotiated the settlement, the terms of which were not divulged.

### English Producers Of Shorts Organize

London, April 18. — Twenty-eight producers of short films, mostly of the entertainment rather than a documentary type, are said to be associated with the British Short Film Makers' Association, a new group formed as a result of the cleavage with the Realist Film Producers.

The organization is to be registered and will take immediate steps to fight the introduction of a cost clause for shorts in the Films Act.

### Scotch Houses Aid A.R.P.

London, April 18. — Theatres in Glasgow are working hand in hand with the local Council to help recruiting for Air Raid Preparedness. Screen appeals for volunteers for this form of national service will be made at all local picture houses. Public meetings will be held at theatres on Sundays and leading Councillors and prominent A.R.P. personalities will speak.

### ‘Girls’ and Waring Lead in Washington With $24,000 Gross

Washington, April 18.—“Girls in White” and Fred Waring's orchestra led the box-office parade here with an excellent $24,000 at Loew's Capitol.

“Dodge City” drew $22,500 at Warners' Earle and has been held over, the third film in the history of the house to merit a repeat.

Estimated takings for the week ending April 13:

**“Girls in White” (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-65c) 7 days. Stage: Fred Waring & orch. Gross: $24,000. (Average, $16,500)
**“Made for Each Other” (U. A.)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days, 2nd run. Gross: $4,000. (Average, $4,500)
**“Midnight” (Para.)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $13,500. (Average, $12,000)
**“Love Affair” (RKO)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days, 3rd week. Gross: $8,500. (Average, $6,000)
**“Dodge City” (W. B.)**
WARNERS' EARLE—(2,218) (25c-65c) 7 days. Stage: Cass Daley. Gross: $22,500. (Average, $16,000)
**“Persons in Hiding” (Para.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 7 days. Gross: $3,800. (Average, $4,000)

### No Enforcement Date In Nova Scotia Law

Toronto, April 18.—Information received at the Toronto offices of major Canadian distributors regarding the passing of the bill by the Nova Scotia legislature to prohibit “undue discrimination” by a film exchange in bookings for any theatre in that province is that no provision has been made for the actual enactment of the new law and that it is to become effective only by proclamation of the Provincial Government. While the act itself as passed cannot be revised except by a vote of the members, the lack of provision for a date of enforcement makes possible further study of the situation and a reconsideration of the whole subject.

The final acceptance of the bill, which had been considerably revised since its first reading, only a few minutes before the close of the session at Halifax, caused considerable surprise, but it was pointed out that provincial regulations already in force actually gave the Government as much power as was provided in the new act.

### Day Off for Charwomen

Hartford, April 18.—Theatre scrubwomen, who allegedly work seven days a week in some houses in the state, are entitled to one day off weekly, according to a ruling of Assistant Attorney General Frank J. DeSesa. Labor Commissioner J. M. Tone requested an opinion on this point, since the hour law has an exemption with respect to janitors.

### Has $820,090 Net

London, April 18.—African Theatres, Ltd., record a net profit for the year of $820,090. A final dividend of 10 per cent, making 20 per cent in all, has been declared.

### Showing A.R.P. Film

London, April 18.—“The Warning,” semi-official Air Raid Preparedness film made by British National, is being shown in 247 provincial theatres between now and May 25.

## NBC Gross for Four Months Gains 78%

New and renewal business at NBC for the first four months of 1939 is 78.5 per cent above the billings for the same months last year. The January through April gross for 1939 amounts to $11,519,041, which compares to the 1938 gross for the same four months of $6,451,680.

The month-by-month breakdown for both years follows: New and renewal business for January, 1938, totaled $2,486,936; for January, 1939, $5,514,182; February, 1938, $1,584,960; February, 1939, $1,991,557; March, 1938, $1,729,019; March, 1939, $1,780,162; April, 1938, $650,765; April, 1939, $2,233,140.

New business for the 1939 period was as follows: January—Knox Gelatine, Standard Brands-Fleischmann, Cardinet Candy, Wander Company, Loose-Wiles, March of Time. February—Lewis-Howe, Ralston-Purina, Wilshire. March—Mars, Sperry, Lorillard-Old Gold, Brown & Williamson, Lorillard-Sensation, Westinghouse, General Mills. April—Procter & Gamble-Teel, Chesterfield.

Renewal business was as follows: January—Anacin & Bisodol, Philip Morris, Sun Oil, Cities Service, Bayer Aspirin, Watkins Co., Tillamook Creamery, Lady Esther, Gilmore, Cummer Prod.-Molle, Lewis-Howe. February—American Cigar & Cigarette, Johnson's Floor Wax, Swift & Co., Gallenkamp Shoe Stores, Princess Pat, American Tobacco, Ward Baking, Albers Bros. Milling, Sperry Flour, Andrew Jergens Co., Goodyear Tire & Rubber, Quaker Oats, General Electric. March—Geo. W. Luft, Gulden Mustard, Ballard & Ballard, Macfadden Publications, Thos. Cook & Sons.

## *Germany Fails to Set Time for Hitler Reply*

German Government today informed the networks that no time has been set as yet for the broadcast of Chancellor Adolph Hitler's answer to President Roosevelt's peace message, to be given before the Reichstag April 28. Assurances were given, however, that the American networks would receive the speech and that announcement of the exact time will be given shortly.

## *Hernandez to Pimlico*

SAN FRANCISCO, April 18.—Joseph Hernandez, for five years the Pacific Coast's leading racetrack announcer, leaves April 23 to broadcast a three-week engagement at Pimlico, Baltimore, for Alfred Gwynne Vanderbilt.

## *Would Ban Politics From Mexican Radio*

**Mexico City, April 18.—Labor organizations have urged the Ministry of Communications and Public Works, handling radio affairs in Mexico, to penalize radio stations and announcers who discuss politics and feature political happenings in their broadcasts. The laborites point out that the law bans politics from the air.**

# *Radio Personals*

TOM FIZDALE has opened another publicity office, this one in Washington. . . . Alice Knepper has married Gene Morgan, WMCA announcer. . . . Nino Martini becomes a member of "The Circle" next Sunday. . . . Kay Lorraine has just been granted a renewal of contract on the "Hit Parade." . . . Joseph B. Platt, who did the interiors for "Gone With the Wind" flies back to Hollywood today to do additional work on the picture. . . . Merle S. Jones, KMOX general manager, is visiting CBS headquarters here.

## *WKRC Is Prepared As Ohio River Rises*

CINCINNATI, April 18.—WKRC again has placed its special events crew on 24-hour call as the Ohio River continues to rise with imminent threat of overflowing. Station is making arrangements to secure additional short-wave apparatus from New York and Chicago and has offered its facilities and staff to the Red Cross if the need arises. Bulletins on the stages of the rise are being broadcast every half-hour.

## *Scholl Program Starts*

New program placed on WMCA for Dr. Scholl's products will have a World's Fair tieup, with program material to be furnished through both the cooperation of the World's Fair and the station's press departments. Script will contain spot news items of Fair activities and features. The program, for 13 weeks, was placed through Presba, Fellers and Presba.

## *CBC to Build Studios*

TORONTO, April 18. — Canadian Broadcasting Corp. has purchased a site here for a studio and amusement structure to cost an estimated $1,000,000. The building may be patterned after Rockefeller Center in New York and will include studios, theatres and concert hall.

## *To Air 'Love Affair'*

Charles Boyer and Irene Dunne, who co-starred in "Love Affair," will do a radio version of the picture in the "Hollywood Playhouse" April 23 at 9 P. M. over NBC.

## *Koehler Quits Muzak*

Joseph M. Koehler, who has been handling promotion of Muzak's sponsored program service, has resigned to devote his entire time to Radio Events, Inc., of which he is president.

## *Miss Linwood in Cartoon*

Lucille Linwood of NBC has been selected by Paramount to be the singing princess in "Gulliver's Travels," a feature length cartoon which the Fleischer studio is producing.

## *Form Century Television*

ALBANY, April 18.—Century Television-Pictures, Inc., has been chartered here to produce films and radio programs, by Joseph and Charlotte Ornato and Albert Rappaport.

## *4 Radio Brothers*

**Portsmouth, O., April 18.—With the appointment of Ralph Patt, formerly of WJR, Detroit, as general manager of WPAY here, radio now has a "Patt Foursome," all brothers. James recently was named program director of WKRC, Cincinnati; John is manager of WGAR, Cleveland, and Robert is associated with Free and Peters radio advertising agency in New York.**

## *Government Reports Feature Air Series*

WASHINGTON, April 18.—A new transcribed series of Government-sponsored broadcasts will be launched over approximately 150 stations May 9 with a 15-minute address by President Roosevelt. It will mark the first time that a President has ever been heard via transcriptions.

Series is to be titled "United States Government Reports." President Roosevelt will be followed by members of the Cabinet and other ranking Government officials. Programs are to be broadcast on Tuesdays to July 17.

The program is in the hands of the National Emergency Council. Lowell Mellett, executive director of the N.E.C., will conduct the programs via interviews with Government heads on the state of the nation. The programs are to be factual and non-partisan.

The series has been evolved because of the mounting network time that Government officials take up, and is designed to relieve this pressure. It will not, however, take the place of network presentations by the Government departments.

## *Fascism Target of Mexico Air Series*

MEXICO CITY, April 18.—Radio has been enlisted with the assignment of time for an hour every Thursday evening by the League for German culture in Mexico to combat Communism and Fascism. The programs are being broadcast over XEFO and XEUZ. Vicente Lombardo Toledano, Mexico's labor czar, is one of the principal speakers.

## *WAAW Is Taken Over*

OMAHA, April 18.—WAAW is now on the air under new ownership and with new call letters, KOWH, as the Omaha *World-Herald* took over operation of the station. New manager is Vernon H. Smith, from WREN, Lawrence, Kan. The *World-Herald* plans extensive improvements of station and its service. The newspaper purchased the station from the Omaha Grain Exchange, owners since its inception 17 years ago.

## *Three Join KTOK*

OKLAHOMA CITY, April 18.—John Harrison has joined the KTOK staff here as news, special events and sports announcer. Harold Shreve, continuity editor, has added the duties of traffic manager. Cecil Allen Hubbard, former announcer for KTUL, Tulsa, has joined KTOK as an announcer. John Jump, former engineer at KARK, Little Rock, has joined the engineering staff at KTOK.

## See CBS April and May Billings Gai

Effect of the $6,313,829 new an renewal business placed with CB during the past month will swell th network's April and May billings considerably above the billings for th same months last year. The figure compare as follows:

New and renewal business for [illegible] 1938, totaled $18,611 estimated weekly gross billings, for four new an one renewal accounts. This May, f a like number of new and renew accounts, the CBS estimated weekl gross billings will amount to $35,67 a gain of 91.7 per cent. Conversel there is a reduction of 37.6 per cent loss of business for the month. La May four programs ended their CB stay in May. Estimated weekly gros for those programs was $36,703. Th May three programs go off the ai with an estimated weekly gross $22,890.

## *Miller Heads Group For Press Session*

Neville Miller, president of the National Association of Broadcaster will head the radio committee that wi meet with the American Newspape Publishers Association at the annu convention of the ANPA, to outli press-radio relations and cooperatio Members of the radio committee, addition to Miller, are Frank Mason, NBC vice president; Clai McCollough of the Mason-Dixo group, and Ed Kirby, NAB public relations director. J. S. Gray of th Monroe, Mich., *News,* is chairman the newspaper committee.

## *Chief Accountant to Act in Radio Censu*

WASHINGTON, April 18.—Feder Communications Commission ha designated the Chief Accountant to a as liaison officer with the Bureau the Census in connection with the si teenth decennial census, to obtain da with respect to the number of radi receiving sets.

The check is designed to determin from the Federal licensing standpoi the use of radio as an instrument social significance, and problems national defense.

## *FCC Calendar*

WASHINGTON, April 18.—Feder Communications has announced th hearings, on dates to be set later, ha been ordered on the applications of t Neptune Broadcasting Corp., for new 1,420-kilocycle station at Atlant City, with 100 watts power night, 2 watts day; Catawba Valley Broadcas ing Corp., for a 1,370-kilocycle st tion at Hickory, N. C., with 100 wat night, 250 watts day, and Samuel Emison for a 1,420-kilocycle 100-wa station at Vincennes, Ind.

Hearings were also ordered on t applications of WMFR, High Poi N. C., for increase of day power fro 100 to 250 watts; KNEL, Brady, Te for extension of time from day unlimited with 100 watts night, 2 watts day, and WBIG, Greensbor N. C., for increase of day power fro 1,000 to 5,000 watts.

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OL. 45. NO. 76 NEW YORK, THURSDAY, APRIL 20, 1939 TEN CENTS

# ndustry Part Of N.Y. Fund Set in Motion

## . Robert Rubin Names Five Subdivisions

J. Robert Rubin, chairman, and embers of the general committee of he motion picture division of the reater New ork Fund, met esterday at the otel Astor, nd set in motion the industry's part in aising a minmum of $100,-00 in the und's $10,000,-00 goal. The rive ends May 1.

Ned Depinet

Speakers at he meeting, besides Rubin, ere Harry Brandt, Edward olden, Maurice Silverstone, Harold odner, Charles Casanave, Major L. . Thompson and B. S. Moss.

Edward Golden

They emphasized the importance and need for going over the top with the drive.

The G. N. Y. F. fills the supplemental requirements of 380 voluntary health and welfare organizations, the committee was told, and the nonsectarian character of the Fund was pointed out.

Five subdivisions were set up as the ndustry's part of the drive got offi-

(Continued on page 3)

## Dark Victory' Opens At Music Hall Today

"Dark Victory" opens today at the usic Hall after three weeks for "The Story of Vernon and Irene Castle." The latter grossed an estimated 85,000 for its last week. "The ardys Ride High" took an estimated 30,000 at the Capitol and will be held or a second week. "Man of Conquest" will open there April 27. "Alexander Graham Bell" goes four weeks at the Roxy. 'Midnight" did $45,000 in its second week at the Paramount.

## Unable to Agree on Season's Best Play

**Members of the N. Y. Drama Critics' Circle, unable to agree on the best play of the 1938-'39 season, decided to waive this year's award and honor four playwrights instead.**

**Feted at the annual dinner Sunday night will be Robert E. Sherwood, author of "Abe Lincoln in Illinois"; Lillian Hellman, author of "The Little Foxes"; William Saroyan, author of "My Heart's in the Highlands," and Clifford Odets, author of "Rocket to the Moon." Raymond Massey will substitute for Sherwood and Harold Clurman for Odets at the banquet.**

# Hearings in Radio Monopoly Inquiry Concluded by FCC

Washington, April 19.—Radio monopoly hearings were concluded today with a request by Louis Caldwell, counsel for the Mutual Broadcasting System, that the F. C. C. issue a temporary order prohibiting stations from making deals extending their present contracts with the networks until the F. C. C. announces the results of its monopoly inquiry.

Caldwell stated that the entire investigation might prove fruitless if the commission did not take such a step.

John R. Burns, counsel for CBS, objected to the motion and asked that it be removed from the records, but the F. C. C. stated it will take under consideration both sides of the controversy. The commission said it would receive briefs in opposition up to May 19.

# Women's National Radio Award Goes To 'Americans All'

Praise of the free and uncensored American way of radio was the basic theme of the addresses made yesterday at the fifth annual luncheon of the Women's National Radio Committee by Neville Miller, president of the National Association of Broadcasters; David Sarnoff, president of RCA; Frank E. Mason, vice-president of NBC; H. V. Kaltenborn, chief news and political commentator of CBS, and Alfred J. McCosker, president of WOR and chairman of the board of Mutual Broadcasting System.

Reflecting the present unsettled political time, for the second consecutive year a program serving democratic ideals was selected for the chief award of the Women's National Radio Committee. "Americans All—Immigrants All," a program presented by the Federal Office of Education as a sustaining program over CBS, was designated as "the most original and informative program" introduced on the airways the past year. The program also was high in the poll among the programs furthering the principles of democracy.

### Others Commended

Other programs of this character which received commendable mention were "People's Platform," CBS; Mutual's "American Forum of the Air" and Foundations of Democracy" and "Frontiers of Democracy," both sustaining programs of CBS.

Adult education programs most highly favored were "The World Is Yours," NBC; "What Price America" and "Americans at Work," both CBS.

The quiz and audience participation program field was led by "Informa-

(Continued on page 7)

# Universal Sets Ad Budget Of $1,000,000 Next Season

Chicago, April 19.—Universal has set an advertising budget of $1,000,000 for the 1939-'40 season, W. A. Scully, vice-president and general sales manager, told the company's regional sales meeting at the Palmer House today. He predicted that with the more extensive advertising program backing up the company's new season product the company was assured of one of the greatest years in its history.

The company's sales for the first quarter of the year were 20.43 per cent ahead of the same period last year, Nate J. Blumberg, president, told the meeting.

The sessions here will end tomorrow with meetings of district and branch managers. Blumberg, F. J. A. McCarthy, eastern sales manager; Lou Pollock, eastern advertising and publicity manager, and several other home office officials will leave for New York tomorrow night. Scully will leave for San Francisco for the final regional meeting Saturday.

# Settlement in IATSE Studio Row Reached

## May End Charges of Company Unionism

Hollywood, April 19.—An agreement in principle which may dispose of the charges of company unionism and bribery brought against producers and I.A.T.S.E. officials by a minority faction of the International headed by Jeff Kibre was reached today, Dr. Towne Nylander, regional N.L.R.B. director, stated.

Nylander's announcement follows weeks of effort to bring the principals together and effect a settlement of the N.L.R.B. case which involves sensational charges.

### Sees Early Settlement

"There is every prospect of an early settlement of the case," Nylander said. "All that remains to be disposed of are technical details."

The N.L.R.B. official will meet again Friday morning with John Gatelee, Frank Strickling and Harold V. Smith, I.A.T.S.E. officials; Alfred Wright, producers' counsel and spokesman, and George Bodle, attorney for Kibre. The latter is chairman of the technicians' committee minority group of Local 37. Final details of the settlement may be disposed of at Friday's meeting.

Meanwhile, peace was brought nearer on another labor front here today, as well. Several points still remained

(Continued on page 3)

# Starr Heads W.B. Music Subsidiary

Herman Starr, vice-president of Warners, on Monday will take charge of Music Publishers Holding Corp., a Warner subsidiary. He succeeds Edwin H. (Buddy) Morris, who has resigned as vice-president and general manager.

Morris is a son of Sam E. Morris, Warners' vice-president in charge of foreign activities. He has been in charge of the music companies for several years. His future plans are indefinite, but he will stay in the music publishing business, probably forming his own company or buying a partnership.

## Walker Going on Air

Former Mayor James J. Walker will broadcast a news program over WJZ, starting tomorrow.

# ◂ Purely Personal ▸

JOSEPH H. SEIDELMAN, Universal foreign manager, returns to New York tomorrow from the company's Chicago sales meeting. C. A. Kirby, assistant to Seidelman, has returned from the Cincinnati meeting.

●

Roy Haines, eastern and Canadian sales manager for Warners, is on a business trip to the company's Pittsburgh, Cleveland and Cincinnati branches. He will return on Monday.

●

Victor Saville, M-G-M director in England; Gerald Cook, television director for British Broadcasting Co., and Gladys Cooper, actress, arrive today on the *Queen Mary* from abroad.

●

Edwin Cline, operating manager of the Western Electric company of Argentina, has returned to the United States with his family for an extended vacation. This is his first visit in more than six years.

●

Douglas Corrigan, star of "The Flying Irishman," saw the film at a screening at the Music Hall last night. Some of his Roosevelt Field friends also attended.

●

Emanuel Frisch, son of Louis Frisch of the Frisch & Rinzler circuit, is the father of a girl, born yesterday to Mrs. Frisch at the Jewish Hospital, Brooklyn.

●

Fred Lange, Paramount Continental European manager, is en route to New York on the *Conte di Savoia* for his annual visit to the home office.

●

Harold Henderson, formerly Ross Federal assistant manager in Chicago, has been appointed Omaha branch manager, succeeding Norman Brennan.

●

Barney Feingold, assistant manager at the RKO Alden, is recuperating from a nervous breakdown at Unity Hospital, Brooklyn.

●

Jules Levy, RKO sales manager, returned to New York yesterday following a studio visit and stopovers at RKO exchanges en route.

●

Herman Saperstein, owner of the Wabash in Chicago, is at home convalescing after a heart attack.

●

Ed Kuykendall, M.P.T.O.A. president, is expected in New York from Washington today or tomorrow.

●

Pat Casey postponed his departure for the coast yesterday but may leave within a day or two.

●

Lou Miller of the RKO sales department is back from a vacation at Pinehurst.

●

Sam Spring, film attorney, is confined to his home with a cold.

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# Insiders' Outlook

### By SAM SHAIN

THERE were about 35 persons at the annual stockholders' meeting of 20th Century-Fox. Bill Michel presided. With him at the meeting were Richard Dwight (Dwight, Harris, Koegel & Caskey); Sidney Towell, Herman Place of the Chase National Bank; Bill Eadie, Hugh Strong, Bill Phillips and Felix Jenkins. Jenkins is company attorney. Remainder of those in attendance were shareholders or newspapermen. That there were so few stockholders present is indicative enough of the confidence which they repose in the company management, but even more eloquently demonstrative of this trustfulness, perhaps, is the fact that throughout the meeting there was not a single question asked from the floor.

▼ ▼

Maurice Silverstone, operating chief of United Artists, was dining with Louis Nizer at Nick's Hunting Room, in the Astor. Nizer was talking about Harry Hershfield:

"Isn't there something we can do for a man of such talent? Certainly, a man of Harry Hershfield's ability should be now working for one of the studios."

Silverstone talked about the trade practice draft, to which United Artists, because of company policy, did not subscribe, and the U. A. chieftain explained his company's position, while at the same time having naught but the highest praise for the work on the pact which has been done by Sidney R. Kent and William Rodgers. He said that Kent and Rodgers are deserving of the highest commendation for the task which they had accomplished.

▼ ▼

At Lindy's, next door to the Rivoli Theatre, Morris Helprin, who recently returned from London, Paris and Amsterdam, was attending a "welcome home" luncheon given in his honor by friends. Helprin talked glowingly about Alexander Korda's latest achievement, "Four Feathers," which he described as the producer's best.

At luncheon were Bill Boehnel, Emanuel Silverstone, Monroe Greenthal, Morris Kinzler, Carlos Israels and Myer Beck.

▼ ▼

Al Margolies suggests changing the name of the Waldorf, where the French version of "Snow White and the Seven Dwarfs" is playing, to *Waldwarf*.

At 50th Street and 6th Avenue, a broad-shouldered figure, in gray fedora and blue topcoat, emerges hurriedly from a taxi and rushes to shelter under the Radio City Music Hall's wide canopy, safe from the heavy rain. Attendants nod greetings to him. He makes his way into the auditorium of the theatre. He is Gus Eyssel, assistant to W. G. Van Schmus, managing director of the house.

▼ ▼

Beyond the "executive door" of the Music Hall in 50th Street, is the new Newsreel Theatre, and it sets us thinking about newsreels generally. We have wondered whether the American newsreel companies do not unwittingly emphasize the Fascist, Nazi and Communist dictators' games.

For instance—in Italy, Germany and Russia, none but official government cameramen is permitted to photograph news events. Naturally, such clips as these men take show only the brighter side of life in the totalitarian countries. Nothing but that is permitted to be exported from the countries. American newsreel companies take these clips.

▼

There being no censorship here, audiences get a conglomeration of clips showing the troubled side of affairs in our country, the condition of coal miners, share-croppers, strike incidents and general labor troubles. The comparison, though impressive, is grossly unfair, with the result that American conditions are made to appear at a disadvantage alongside of those of the totalitarian governments.

The peoples under the totalitarian governments are deliberately shown only the troubled side of things from this side of the Atlantic, because the censors in the dictator countries see to this, and little or nothing which is favorable to democratic governments is allowed on the screens in Italy, Germany and Russia.

▼

In this manner, the Fascists, Nazis and Communists utilize their censorship powers and propaganda overtime in their own behalf and against us.

Perhaps there may be a danger that the reels would be full of explanatory captions. Nevertheless, should not the American newsreel companies, whenever they sense foreign censorship clips, frankly state so in a preamble to the clip?

## Continental to Reopen

Continental Theatre, Broadway and 52nd St., will reopen tomorrow with a continuous film and burlesque policy.

## M-G-M Re-Signs Smith

Hollywood, April 19.—Pete Smith has been signed to a new long term contract by M-G-M.

# Hutchinson, Wobber Sail for Meetings

A survey of the European situation and plans to give the Latin American market greater prominence in the company's operations will be made by Walter J. Hutchinson, 20th Century-Fox foreign chief, who sailed last night on the *Washington*. He will be gone two months.

He was accompanied by Herman Wobber, director of domestic distribution, who sailed with Mrs. Wobber. They will address the company's Paris and London conventions in May, and Wobber will return to America about May 22. Hutchinson will attend the South American convention in Rio de Janeiro, June 1-3, and the Central American conference at Port-au-Prince, Trinidad, June 21.

S. R. Kent, president, is unable to attend the European meetings, but will be on hand at the Latin American sessions.

### Whelan Drive Leader

Hutchinson yesterday announced that he had appointed Leslie Whelan, director of foreign publicity, as leader of the seventh anniversary S. R. Kent Overseas drive, which will start in September for 15 weeks.

At the foreign conventions, Hutchinson will be honored on his 20 years of consecutive service with 20th Century-Fox.

On hand to see Wobber and Hutchinson off, as the *Washington* sailed at midnight, were Clay V. Hake, managing director in Australia, Irving Maas, foreign service manager, Franklyn Irby of the legal deparment, Whelan and others.

## NY Allied Convention Unit Meets Tomorrow

Max A. Cohen, president of Allied Theatre Owners of New York, has called a meeting for tomorrow noon at the Astor of the reception committee which will serve in connection with the organization's annual convention and World's Fair Exposition.

The event will be held at the Astor May 23 to 25, inclusive. The reception committee is representative of the film industry in New York. The meeting will follow a luncheon.

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MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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## Session on Sound Occupies S.M.P.E.

HOLLYWOOD, April 19.—Third day of the spring convention of the Society of M. P. Engineers was given over to the final sessions on sound. The delegates enjoyed a free afternoon today with only morning and evening meetings on the program.

Delegates were guests of Erpi during the afternoon for a tour of the company's Hollywood laboratories. Among the studio executives who have signified intention of attending the annual banquet Thursday evening are Louis B. Mayer, Joseph M. Schenck, Jack L. Warner, Harry M. Warner, Y. Frank Freeman and Bryan Foy.

During the morning, papers read were: "Controlled Sound Reflection in Review Rooms and Theatres," by C. M. Mugler, Acoustical Engineering Co.; "Acoustic Condition Factors," by M. Rettinger, RCA Manufacturing; "Push-Pull Audio Transformer Design for Minimum Amplifier Distortion and Intermodulation," by B. F. Miller, Warners; "Use of an A. C. Polarized Photoelectric Cell for Light-Valve Bias Current Determination," by C. R. Daily, Paramount; "A Densitometric Method of Checking the Quality of Variable-Area Prints," by Daily and I. M. Chambers, Paramount; "A New Mobile Film Recording System," by B. Kreuzer, RCA Manufacturing, and C. L. Lootens, Republic.

During the evening, papers read included: "A Direct Positive System of Sound Recording," by G. L. Dimmick and A. C. Blaney, RCA Manufacturing; "A Newly Designed Sound Motion Picture Reproducing Equipment," by J. S. Pesce, RCA Manufacturing; "Class A-B Push-Pull Recording System," by C. H. Cartwright and W. S. Thompson, RCA Manufacturing; "Report on Recent Activities of the Research Council Committee on Standardization of Theatre Sound Projection Equipment Characteristics," by J. K. Hilliard, chairman, and "Modern Instantaneous Recording and Its Reproduction Technic," by N. B. Neeley and W. V. Stancil, Neeley Enterprises.

## RKO Bookings Best In Company History

Current bookings of RKO product throughout the country are the greatest in the company's history, according to Walter Branson, director of the company's George Schaefer sales drive, who returned yesterday from his second tour of RKO exchanges since the opening of the drive. He was accompanied by Harry Michalson, short subject sales manager.

"During the 18-week sales drive period the RKO field staff will exceed all quotas which were set for it," Branson said, "and will establish a volume record greater than that for any similar period."

Branson said delivery of such pictures as "Gunga Din," "Love Affair" and "The Castles" in recent weeks accounted for the record pace being set in the drive.

## Crews Bill Deferred

ALBANY, April 19.—Crews bill providing for two men in a booth was reached in the Senate late today, and then put over until April 26.

## Double Features Hit In D. A. R. Report

WASHINGTON, April 19.—Double features were condemned and playing of the National Anthem in film theatres was commended in the report of the D. A. R. Motion Picture Committee, presented today to the annual meeting of the organization.

Submitting the report of the committee, Mrs. LeRoy Montgomery, Southwalk, Conn., chairman, suggested a letter of commendation be sent Warners for their Americanism in initiating the patriotic practice.

Studies by the committee disclosed a decrease in double feature programs, which it declared a "great accomplishment."

## Industry's Part in N. Y. Fund Is Begun

(*Continued from page* 1)

cially under way. Each of the members of the general committee, present, promised his fullest support. Golden, vice-president of Monogram Pictures, promised a day's pay from each of the 125 Monogram home office employes.

On April 27, the chairmen of the subdivision groups will meet again with Rubin to report on their activities.

In the meantime these subdivision chairmen are proceeding to organize their groups. These groups and their respective chairmen are: Producers-Distributors, Ned Depinet; Exhibitors, B. S. Moss; Allied Group (accessories and equipment), Herman Robbins; Charles L. Casanave, vice-chairman; Laboratories, Herbert J. Yates; Ralph I. Poucher, vice-chairman; Actors, Fredric March.

Those who attended the meeting in addition to those mentioned were: Harry Buckley, Lawrence Bolognino, Joseph Burstyn, Arthur Israel, Jr., Maurice Kann, John Kane, Jack Alicoate, Samuel Machnovitch, Max Cohen, Sam Shain, Al Senft, Fred J. Schwartz, W. C. Michel, William A. Orr, Joseph Seider, Leo Brecher, Louis J. Barbano, and Otis Lucas of the Greater N. Y. Fund.

## Zukor Returns Today From European Trip

Adolph Zukor, Paramount board chairman, who arrived from Europe today on the *Queen Mary*, will remain at the home office for about a month before leaving for Australia by way of Hollywood.

Zukor completed a three months' survey of Paramount operations in Great Britain and on the Continent on which he will report to other company officials. After studio conferences with Y. Frank Freeman and William LeBaron, Zukor and John W. Hicks, Paramount vice-president and foreign manager, will first visit Australia and subsequently will tour the key cities of South America.

## Pass Sunday Show Bill

ALBANY, April 19.—The Owens bill, providing for a referendum in certain villages on the question of Sunday shows, passed the Assembly today without opposition.

## Wisconsin Measure Would Tax Pictures

**Madison, Wis., April 19.—State and Local Government Committee of the Wisconsin Senate has introduced a bill providing for a tax of $2.50 per 1,000 feet on all motion picture film.**

## Guild Fails to Vote On Film Rights Plan

Tentative draft of modifications to the minimum basic agreement was presented to the Dramatists Guild Council yesterday after more than a year of negotiations with major film producers' representatives. Although discussion took up most of the meeting yesterday no vote was taken and it was the consensus that further meetings would be required before a decision could be reached.

Council members appeared to agree in principle on the purchase of film rights for production of a play with the purchase price depending on the length of run. Another meeting will be held today.

## Reach Settlement In IATSE Dispute

(*Continued from page* 1)

in the way of a complete settlement of the dispute between I.A.T.S.E. officials and deposed officers of Local 37 over control of the latter organization but an early agreement appeared imminent.

International officials and their attorneys were brought together with Joseph W. Carpenter, ousted Local 37 president, and other deposed officers late last night by District Attorney Buron Fitts, at whose request the scheduled Grand Jury investigation of alleged labor racketeering charges was postponed from yesterday to May 2. At the meeting, conducted in secrecy, it developed that I.A.T.S.E. leaders are insisting that officers of the local withdraw with apologies all charges made against them in courts and before the district attorney and that several Local 37 members alleged by the I.A. heads to be Communists be expelled from the local.

Two Dies' Congressional committee investigators, George F. Hurley and James H. Steedman, said they are setting up a staff in the federal building. They said they would enter into every phase of subversive campaigns in Southern California and would begin calling witnesses tomorrow.

Various organizations and individuals had requested the committee to send investigators here to probe both Communistic and Nazi efforts, the last being I.A.T.S.E. international officers, who declared the minority leader of Studio Technicians Local 37 was a member of the Communist party.

## Vallee Producer Dies

HOLLYWOOD, April 19.—L. Gordon Thompson, 34, producer of the Rudy Vallee air program, died unexpectedly today in the office of the J. Walter Thompson agency. Thompson joined the agency about ten years ago and produced Vallee's first airshow in 1929.

## CEA Attacks High Telecast Charges

LONDON, April 19.—General Council of the Cinematograph Exhibitors' Association today discussed the allegedly exorbitant fees currently being charged certain exhibitors for the right to show telecasts of prize fights.

The council deplored the creation of a monopoly, and protested that at present it is powerless to take action.

It is unofficially reported that $500,000 has been asked for the theatre screening rights to the telecast of the Football Cup Final, to cover all British theatres. It is understood the screening rights to the telecast of the Derby will cost $1,250 per theatre.

The group reported that Bank Night is not spreading, as was feared at first, but the C.E.A. is contemplating further action.

An announcement on the C.E.A.-Kinematograph Renters' Society agreement on service charges has been postponed pending a joint statement. It is believed there is considerable exhibitor opposition to the terms.

## Stern Questioned in U.A. Anti-Trust Suit

Charles Stern, eastern district sales manager of United Artists Corp., was examined yesterday by Robert L. Wright, special assistant Attorney-General in the Government's anti-trust investigation in the affairs of United Artists and seven other major film companies. Stern, at the direction of Edward C. Raftery, United Artists' attorney, refused to answer questions concerning negotiations by United Artists with its exhibitors. Raftery, in a clash with Wright, stated that "it was still the law that a trader has the right to choose its own customers."

Various contracts between exhibitors and United Artists will be inspected at the office of O'Brien, Driscoll & Raftery today. Examination of Stern was adjourned to April 21. Harry Gold and Paul Lazarus will be examined on Monday, it was learned, if they have returned from Florida at that time.

## Empire Turns Down Bid to 306 President

Rank and file of Empire State operators' union is not friendly to a merger with Local 306, it was indicated at a midnight meeting Tuesday. The members voted down a proposal to invite Joseph D. Basson, president of Local 306, and another representative to address an Empire meeting.

A merger of the two unions has been suggested at various times during the past several years and the proposal was unsuccessfully revived after Local 306 settled its recent strike at exchanges. Efforts at a merger will continue, however.

## 5,100 Houses Enroll In Will Rogers Week

Theatre enrollment in the Will Rogers National Theatre Week has passed the 5,100 mark, with additions still coming in. The campaign starts today for one week, with audience contributions to be devoted to the Will Rogers Memorial Hospital at Saranac Lake and kindred charities. Participating theatres include the five major circuits as well as independents.

*Tuesday*
*the 25th of April*

WARNER BROS. will begin the $2-top roadshow engagement in New York of the motion picture the world will forever know as the screen at its greatest, drama at its fieriest, acting at its finest

# PAUL MUNI and BE

# "JUAREZ"

*A story so momentous that it requires a supporting cast of 1186 players, headed by*

**BRIAN AHERNE**
**CLAUDE RAINS · JOHN GARFIELD**
**DONALD CRISP**

Joseph Calleia · Gale Sondergaard · Gilbert Roland
Henry O'Neill · Directed by WILLIAM DIETERLE
Screen Play by John Huston, Aeneas MacKenzie and Wolfgang Reinhardt
Based on a Play by Franz Werfel and the Novel, "The Phantom Crown"
by Bertita Harding · Music by Erich Wolfgang Korngold

**JACK L. WARNER**
*In Charge of Production*

**HAL B. WALLIS** · **HENRY W. BLANKE**
*Executive Producer* · *Associate Producer*

A NEW AND IMPORTANT REASON FOR A NEW YORK ROADSHOWING . . .'Juarez' comes to the Hollywood Theatre in New York—and millions from the nation over come to the World's Fair in New York at the same time! Picture what this means *nationally* in direct word-of-mouth prestige!

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| March 17 | Lone Star Pioneers<br>*Bill Elliott*<br>*Dorothy Gulliver* | Within the Law (G) (D)<br>*Ruth Hussey*<br>*Rita Johnson* | Trigger Smith (O)<br>*Jack Randall* | King of Chinatown (G) (D)<br>*Anna May Wong*<br>*Tamiroff*<br>3827 | My Wife's Relatives (G) (C)<br>*Lucille, James and Russell Gleason* | | The Little Princess (G) (D)<br>*Shirley Temple*<br>*Richard Greene*<br>*Anita Louise* | Prison Without Bars (A) (D)<br>*Corinne Luchaire*<br>*Edna Best*<br>*Barry Barnes* | Mystery of the White Room<br>*Bruce Cabot*<br>*Helen Mack* | Adventures of Jane Arden (G) (D)<br>*Rosella Towne*<br>*William Gargan* |
| March 24 | Whispering Enemies (G) (D)<br>*Jack Holt*<br>*Dolores Costello* | Sergeant Madden (G) (D)<br>*Wallace Beery* | | Midnight (G) (C)<br>*Colbert*<br>*Ameche*<br>3828 | | Trouble in Sundown (G) (O)<br>*O'Brien* | Everybody's Baby (A) (C)<br>*(Jones Family)* | | Three Smart Girls Grow Up (G) (C)<br>*Deanna Durbin*<br>*Winninger* | Blackwell's Island (G) (D)<br>*Garfield*<br>*Rosemary Lane* |
| March 31 | North of the Yukon<br>*Starrett*<br>Romance of Redwoods (O)<br>*Bickford* | Society Lawyer (A) (D)<br>*Pidgeon*<br>*Bruce*<br>*Carrillo* | | Sudden Money (G) (C)<br>*Ruggles*<br>Silver on the Sage<br>*William Boyd* | Mexicali Rose (O)<br>*Gene Autry* | Almost a Gentleman (G) (D)<br>*James Ellison* | Hound of the Baskervilles (G) (D)<br>*Greene*<br>*Rathbone* | | Family Next Door (G) (C)<br>*Hugh Herbert*<br>*Joy Hodges* | On Trial (G) (D)<br>*John Litel*<br>*Margaret Lindsay* |
| April 7 | The Lady and the Mob (G) (C)<br>*Fay Bainter*<br>*Ida Lupino* | Broadway Serenade (G) (M)<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | Undercover Agent<br>*Russell Gleason*<br>*Shirley Deane* | I'm From Missouri (G) (C)<br>*Bob Burns*<br>3830 | | Love Affair (G) (D)<br>*Boyer*<br>*Irene Dunne*<br>Flying Irishman (G) (D) | Mr. Moto in Danger Island (G) (D)<br>*Lorre*<br>*Hersholt* | | East Side of Heaven (G) (C)<br>*Bing Crosby*<br>*Joan Blondell* | Dodge City (G) (D)<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* |
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas<br>*Denis O'Keefe*<br>*Rice* | Streets of New York (G) (D)<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders (O)<br>*John Wayne* | They Made Her a Spy (G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell (G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights (A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | Code of the Streets (G) (D)<br>*Harry Carey*<br>*Frankie Thomas* | Women in the Wind (G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High (G) (C)<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven (G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (G) (O)<br>*Roy Rogers* | Fixer Dugan<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | Big Town Czar<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare<br>*Lionel Barrymore*<br>*Lew Ayres* | Riders of the Rio Grande<br>*Jack Randall* | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men<br>*Bickford*<br>Blue Montana Skies (O) | The Story of Vernon and Irene Castle (G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid<br>*Baxter*<br>Climbing High<br>*Jessie Matthews* | | | You Can't Get Away With Murder<br>*Bogart*<br>*Gale Page* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Three Texas Steers (O)<br>Man of Conquest (G) (D)<br>*Richard Dix* | Racketeers of the Range (O)<br>*O'Brien* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | Captain Fury<br>*Aherne*<br>*McLaglen* | For Love or Money<br>*June Lang*<br>*Robert Kent* | Confessions of a Nazi Spy<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | Down the Wyoming Trail<br>*Tex Ritter* | Some Like It Hot<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | | Sorority House<br>*Anne Shirley*<br>*James Ellison* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>*Barthelmess* | It's a Wonderful World<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>*John Carroll* | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>*Reginald Owen* | | Panama Lady<br>*Lucille Ball*<br>*Allan Lane* | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whale* | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |

## Profit of CBS for Quarter $1,151,525

CBS consolidated income statement r the first quarter of 1939 shows a ross income for the period of $6,707,67, which compares to $6,998,773.51, e gross income for the same period st year.

Net profit for the three months of 939 amounted to $1,151,525.66 as ainst $1,494,980.09, the net profit r the same months last year.

Operating and administrative expenses for this year's quarter totaled 5,170,167.92. Last year's operating xpenses for the quarter were $5,48,632.

Earnings per share for the quarter mounted to 67c, compared to 87c st year. Share earnings are calculated upon the 1,708,723 shares of 2.50 par value stock either outstanding at April 1, 1939, or to be outstanding upon completion of exchange f old $5 par value stock.

## *Radio Award Made To 'Americans All'*

*(Continued from page 1)*

ion, Please," NBC. The Ford "Sunday Evening Hour," CBS, remained he most popular sponsored serious nusic program. Favored sustaining erious music programs, all within the ne group, were the CBS Philharmonic broadcasts, the NBC Symphony, the NBC Metropolitan Opera roadcasts, and the Sinfoniettas irected by Alfred Wallenstein for Mutual.

Light music preferences were the 'Firestone" program, NBC; "Cities Service" program, NBC, and the American Album of Familiar Music," NBC, which was especially commended for keeping alive American musical tradition.

Dramatic programs especially commended were the Orson Welles broadcasts over CBS; the Lux "Radio Theatre," CBS; the Woodbury "Playhouse" with Charles Boyer, NBC, and 'Great Plays," NBC.

### "Good News" Leads

Of the variety programs, the M-G-M "Good News" program led the field, with the Chase & Sanborn Hour following. It was made clear, however, that the latter program ranked high because of Charlie McCarthy, and that the other features on the program did not merit the same recognition. "One Man's Family," NBC series, was accorded special write-in recognition as a serial program.

"Let's Pretend," CBS, and Irene Wicker's musical plays over NBC were the high scorers abong the children's programs. Walter Damrosch's "Music Appreciation" Hour, NBC, and "American School of the Air," CBS, vied for first place among children's educational broadcasts.

Among news commentators, H. V. Kaltenborn, CBS, easily led the field.

Honor guests at the luncheon were Lenox Lohr, president of NBC; Donald Flamm of WMCA, William S. Paley, president of CBS; Raymond Leslie Buell, president of the Foreign Policy Association. Mme. Yolanda Mero-Irion, chairman and founder of the Women's National Radio Committee, presided.

Formation of an auxiliary organization to supplement the work of the committee was announced by Mme. Mero-Irion. The new group will be known as "Radio Listeners," and was formed to combat the assumption, Mme. Mero-Irion said, that women's organizations are "high brow," and have a different viewpoint on radio programs from the general public.

## 'Dodge City' with 'Jane Arden' Gets $31,000 in Boston

Boston, April 19.—"Dodge City" and "Adventures of Jane Arden" drew a powerful $31,000 at the Metropolitan.

"Huckleberry Finn" coupled with "Blondie Meets the Boss" at Loew's State and Orpheum drew a total of $40,500, $17,500 and $23,000 respectively.

Estimated takings for the week ending April 12:

**"Gunga Din" (RKO) (2 days)**
**Disney Review (RKO) (2 days)**
**"Mystery Plane" (Mono.) (5 days with vaude.)**
**"Trouble in Sundown" (RKO) (5 days with vaude.)**
RKO KEITH BOSTON—(3,000) (20c-30c-40c). Gross: $9,500. (Average, $8,100)

**"Three Smart Girls Grow Up" (Univ.)**
**"The Flying Irishman" (RKO)**
KEITH MEMORIAL—(2,790) (25c-35c-40c-55c) 7 days. Gross: $18,000. (Average, $15,000)

**"I'm From Missouri" (Para.)**
**"Inside Story" (20th-Fox)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,500. (Average, $9,000)

**"I'm From Missouri" (Para.)**
**"Inside Story" (20th-Fox)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $5,500)

**"Dodge City" (W. B.)**
**"Adventures of Jane Arden" (W. B.)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $31,000. (Average, $14,500)

**"Huckleberry Finn" (M-G-M)**
**"Blondie Meets the Boss" (Col.)**
LOEW'S ORPHEUM—(2,907) (25c-35c-40c-55c) 7 days. Gross: $23,000. (Average, $14,500)

**"Huckleberry Finn" (M-G-M)**
**"Blondie Meets the Boss" (Col.)**
LOEW'S STATE—(3,537) (25c-35c-40c-55c) 7 days. Gross: $17,500. (Average, $10,500)

**"Oklahoma Kid" (W. B.)**
**"Topper Takes a Trip" (Col.)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $6,500. (Average, $5,500)

## *RCA Suit Plea Granted*

Benjamin Golder, holder of 1,500 shares of common stock of RCA; Frank Blum, holder of 107 shares, and Anna Weill, holder of 100 shares, were permitted yesterdav by N. Y. Supreme Court Justice Alfred Frankenthaler to intervene in the eight consolidated stockholders' suits against RCA, its officers and directors, Westinghouse Electric Co., American Telephone & Telegraph Co. and General Electric Co. Stockholders are claiming transfer of a large block of RCA shares without compensation, and waste and mismanagement.

## *Baldwin to Broadcast*

Montreal, April 19.—Earl Baldwin, former Prime Minister of Great Britain, will give three radio addresses in Canada. Thursday and Friday he will speak over CBY, Toronto, no other station carrying the addresses. His third talk, also given in Toronto, will be April 22 at 9 P. M., when Canadian Broadcasting Corp. will put it on the national network.

## 'Love Affair' Draws Twin City $11,000

Minneapolis, April 19.—In Minneapolis the leader was "Love Affair," which got $7,000 at the Orpheum. Business generally was good.

In St. Paul, top grosser also was "Love Affair," which got $4,100 at the St. Paul Orpheum.

Estimated takings for the week ending April 13:

### *Minneapolis:*

**"One Third of a Nation" (Para.)**
**"Everybody's Baby" (20th-Fox)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,900. (Average, $1,500)

**"Topper Takes a Trip" (U. A.)**
CENTURY — (1,600) (25c-40c) 7 days. Gross: $7,000. (Average, $4,000)

**"King of the Turf" (U. A.)**
GOPHER—(990) (25c) 7 days. Gross: $2,300. (Average, $2,500)

**"Love Affair" (RKO)**
ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $7,000. (Average, $4,800)

**"Midnight" (Para.)**
STATE—(2,300) (25c-40c) 7 days. Gross: $6,500. (Average, $4,400)

**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-55c) 7 days, 6th week. Gross: $1,500. (Average, $1,400)

### *St. Paul:*

**"Love Affair" (RKO)**
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $4,100. (Average, $3,200)

**"Midnight" (Para.)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,000. (Average, $4,000)

**"Four Girls in White" (M-G-M)**
RIVIERA—(1,000) (25c) 7 days. Gross: $2,400. (Average, $1,800)

**"Trouble in Sundown" (RKO)**
**"Boy Slaves" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,500)

**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-35c) 7 days. Gross: $800. (Average, $700)

## *Loach Pathe Stock Purchase Reported*

Washington, April 19.—Acquisition by Thomas P. Loach, New York, officer of Pathe Film Corp., of five shares of the company's common stock in February, bringing his holdings to 16 shares, was reported tonight by the Securities and Exchange Commission in its semi-monthly summary.

The transaction was the only activity in film stocks disclosed by the commission's report.

## *ITOA Defers Move For Censor Repeal*

Move to seek repeal of the state censor law has been deferred by the I.T.O.A., which recently instructed its counsel, Milton C. Weisman, to draft a repealing bill.

The organization is considering sponsoring such a measure in the next session of the legislature, and in the meantime will attempt to muster exhibitor sentiment for repeal throughout the state.

## *H. Littman a Benedict*

Harry Littman, well known in the film industry, will be married to Miss Cillv Rosenberg of London and Vienna this afternoon in the Spanish and Portuguese Synagogue, 64th St. and Central Park West. Littman, who is associated with Industrial Lithographing Co., is a brother of Mack Littman, American representative of Herbert Wilcox Prod.

Among those attending the ceremony will be Mr. and Mrs. Murray Silverstone, Mr. and Mrs. Emanuel Silverstone and Mr. and Mrs. Charles Schwartz.

## 'Prison' Hits $3,900 in L.A. 'Dodge' Is Big

Los Angeles, April 19.—"Prison Without Bars" was strong here, with $3,900 at the 4 Star in the second week. Also big in the second week was "Dodge City," with $16,000 at the Warner Hollywood and $17,500 at the Warner Downtown.

"The Story of Vernon and Irene Castle" did $7,200 at the Pantages and $7,200 at the Hillcrest.

Estimated takings for the week ending April 19:

**"Broadway Serenade" (M-G-M)**
**"Everybody's Baby" (20th-Fox)**
CHINESE—(2,500) (30c-75c) 7 days Gross: $9,900. (Average, $12,500)

**"Prison Without Bars" (U. A.)**
4 STAR—(900) (40c-55c) 7 days, 2nd week. Gross: $3,900. (Average, $3,250)

**"The Story of Vernon and Irene Castle" (RKO)**
**"Peck's Bad Boy at the Circus" (RKO)**
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $7,200. (Average, $6,500)

**"Broadway Serenade" (M-G-M)**
**"Everybody's Baby" (20th-Fox)**
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $11,400. (Average, $14,000)

**"The Story of Vernon and Irene Castle" (RKO)**
**"Peck's Bad Boy at the Circus" (RKO)**
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $7,200. (Average, $7,000)

**"The Eagle and the Hawk" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: Larry Blake, F. & M. revue. Gross: $15,000. (Average, $18,000)

**"Dodge City" (W. B.)**
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $16,000. (Average, $14,000)

**"Dodge City" (W. B.)**
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $17,500. (Average, $12,000

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# arnoff Links Film Industry To Television

### nited in Interest, He Wires S. M. P. E.

HOLLYWOOD, April 20.—Television d the film industry are closely ited in interest and can be of mu- l aid to each other, David Sarnoff, A president, declared today in a egram to E. A. Williford, president the Society of Motion Picture Enneers. The telegram was read to adio executives and engineers gathed at the semi-annual S.M.P.E. nquet at the Hollywood-Roosevelt tel.

'The future will probably see the esent entertainment offered by mon picture theatres augmented by ecial television services that will ing current events to the theatre reens. In due time, the foremost ogressive theatre operators will sh to step forward with installans of projection apparatus, as soon services become available which y be expected to enhance the value the entertainment which the mon picture industry will continue to ovide.

"The RCA Manufacturing Co. has rther completed developments of rtain special apparatus that may be eful in the study of the technique cessary to the production of films r television use. The Photophone ision is granting rights to its ensees, covering the production of tion picture sound records for use r television purposes."

Sarnoff asked for cooperation for e study of problems involved in

(Continued on page 3)

## tudio Union Fixes eadline Tomorrow

HOLLYWOOD, April 20.—A. Brigham se, attorney for Studio Technicians cal 37, said tonight that the I.A.T. E. has until Saturday to restore tonomy to the local. He made the atement following another conference bring about a settlement of the spute over control of the union. He id failure to grant the demand uld nullify all efforts to bring about ttlement.

Meanwhile John Gatelee and Frank ickling, international officers, and arold V. Smith will appear before ies congressional committee toorrow morning to tell of alleged mmunism in local.

### *Sunday Film Shows Legalized in Maine*

**Augusta, Me., April 20.—Gov. Leslie O. Barrows has signed the measure legalizing Sunday films in Maine. Under a local option clause cities and towns will be permitted to vote on allowing motion pictures on Sunday between 3 P. M. and 11:30 P. M.**

## St. John Exchanges Halt Selling to Wait Ruling on New Law

ST. JOHN, N. B., April 20.—Managers of film distributing headquarters here for the Maritime Provinces and Newfoundland have received instructions from home offices in Toronto to withhold further selling to Nova Scotia accounts until lawyers have time to consider provisions of the bill to prohibit "undue discrimination," recently passed by the Nova Scotia legislature.

Managers say that the legislation might result in the exclusion of Nova Scotia from contracts for film rental. If the Nova Scotia business is dropped they say, the remaining trade in films would not warrant a maritime distributing centre here. Films would have to be handled from Montreal as they were before the establishment of exchanges here.

Under the bill the Government would have the power to penalize distributors if it considers there has been discrimination in the selling, leasing or renting of films.

## G.N. and Fine Arts Renew Activity as Hammons Sets Deal

A renewal of production and distribution activity between Grand National and Fine Arts Prod. was agreed upon yesterday by Earle W. Hammons and Franklyn Warner, heads of the two companies, following two weeks of conferences here.

The agreement signalizes the resumption of regular film deliveries by Grand National after several months of inactivity. Fine Arts will deliver "Panama Patrol," already completed, for immediate release by Grand National and will put two new pictures into production immediately. Three others have been set for early production.

### Makes Deal With Frenke

In addition to the agreement with Warner, Grand National has eliminated release problems which confronted its British associate, Grand National Pictures, Ltd., making possible the continuance of the distribution arrangement abroad with the Jeffrey Bernerd-Maurice Wilson company. Bernerd described the arrangement as "an entirely satisfactory settlement of all our production problems," and added that he would "return to England to proceed with the development of our company on the basis of its five-year franchise" with Grand National.

Hammons also concluded arrangements with Dr. Eugene Frenke by which Grand National will purchase outright the latter's production, "Exile Express," starring Anna Sten. The

(Continued on page 3)

# *'Cover' Fair Dedication 8 Miles Away—Via Television*

Some 150 newspapermen, a majority of whom had never before witnessed television, yesterday appreciatively "covered" the dedication of the RCA exhibit buildings at the New York World's Fair, from the 62nd floor of the RCA Building. On two score television receivers, they viewed with perfect clarity all the events that transpired on the Fair grounds. The televised distance was about eight miles.

Seen on the television screen were various views of the RCA Building and gardens, as well as the speakers and guests, including Major Lenox Lohr, president of NBC; David Sarnoff, president of RCA; Cornelius Bliss, Edward Lasker, M. H. Aylesworth, Henry R. Luce, Edward Friendly, Neville Miller, General Harbord, and numbers of others.

The ceremonies foreshadow the advent of television, for starting next week a regular television program schedule will be assumed, and receiving sets will be placed on the market. RCA's sets, on public display yesterday for the first time, range in price from $150 to $600. The screens will show pictures 3⅜ inches deep by 4⅜ inches wide, while others will reproduce pictures 7⅜ by 9¾ inches in size.

Following the dedication ceremonies, NBC's television department presented a prize fight refereed by Max Baer.

# Zukor Returns With Plea for Industry Unity

### *Needed to Offset Cuts Abroad, He Declares*

By AL FINESTONE

Adolph Zukor, Paramount board chairman, returned yesterday from abroad with the declaration that in view of dwindling markets overseas, all elements of the American industry should work together to maintain and enhance its position.

Adolph Zukor

"At a time when the foreign market is so unsettled, every means should be taken not to reduce production budgets," he said. "The studios should be given every assistance to make pictures that will bring people to the box-office."

Zukor was gone almost three months. As a Paramount "ambassador of goodwill," he spent much time in Great Britain and toured France, Bel-

(Continued on page [illegible])

## M.P.T.O.A. Qualifies Acceptance of Pact

Failure of the distributors' negotiating committee to complete a definition of arbitration procedure under the proposed trade practice program is evoking qualified acceptance of the draft from M. P. T. O. A. directors, representing the regional affiliated organizations, Ed Kuykendall, M. P. T. O. A. president, said yesterday.

M. P. T. O. A. directors are now being polled on their reactions to the trade practice draft sent them earlier. The organization will take no formal stand on the proposed program until expressions have been received from every board member, Kuykendall said. Replies received to date, however, indicate that the proposed draft is "substantially acceptable" while lacking several features still desired by M. P. T. O. A. units, chief among which is a complete and explicit arbitration procedure.

No meeting of the M. P. T. O. A. board is likely to be called to prepare

(Continued on page 3)

# Cowdin Attending "U" Frisco Meet

San Francisco, April 20.—J. Cheever Cowdin, Universal board chairman, will head a delegation from the company's studio which will attend the third and final regional sales meeting, opening at the St. Francis here on Saturday. Expected from the studio with Cowdin are Cliff Work, Matthew J. Fox and John Joseph. Following the convention Cowdin will leave for a two-week fishing trip in Mexico, after which he may spend some additional time at the studio before returning to New York.

# 'Wuthering Heights' Gives Rivoli $50,000

"Wuthering Heights" grossed an estimated $50,000 in its first week at the Rivoli to prove one of the strongest draws the house has had in many years. Present indications are that the film will remain at the Rivoli for a five-week run. "Story of Alexander Graham Bell" did an estimated $35,000 in its third week at the Roxy and continues for a fourth.

At the Hollywood, where the advance sale for "Juarez" started yesterday, a heavy demand for tickets continued all day. "Dodge City" finished its second week at the Strand with an estimated $35,000 and will go for a third. "Confessions of a Nazi Spy" is next. "Heroes of the Marne" (Spectrum) starts today at the Little Carnegie.

# Decency Legion Head Seen as Cardinal Here

Archbishop John T. McNicholas of Cincinnati is expected to be named as Archbishop of New York, according to dispatches from Vatican City last night. His appointment to succeed the late Cardinal Hayes would carry with it elevation to the Cardinalate. Archbishop McNicholas is Episcopal Chairman of the National Legion of Decency.

# 'Mamlock' Ban Stirs British Censor War

London, April 20.—Following the action of the British Board of Film Censors in banning "Professor Mamlock," Russian film, from exhibition in England, the London County Council today formally announced that all press showings of uncensored films are illegal.

"Professor Mamlock," which condemns the Nazi system, already has been press-shown. Elsie Cohen, distributor of the picture in this country, has protested to the British censor board over the ban.

# 'Young Mr. Lincoln' To Open in Illinois

Hollywood, April 20.—The home city of Abraham Lincoln, Springfield, Ill., has been chosen by 20th Century-Fox for the opening of "Young Mr. Lincoln" on Memorial Day, May 30. Special cars will be added to regular trains from New York and other key cities to carry newspapermen and others to the opening. National release of the picture is scheduled for one week after the Springfield opening.

# Purely Personal

Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee; Russell Holman, eastern story head; Edwin L. Weisl, board member, and Leon Netter, home office theatre executive, will arrive in New York Monday after two weeks at the studio in production conferences. Neil F. Agnew, distribution head, will visit exchanges in the Northwest before returning to New York. Robert Gillham, advertising and publicity director, goes to Omaha to complete arrangements for the "Union Pacific" premiere there April 28.

•

Joe Pollak has advised friends here that he has succeeded in getting his family from Germany to England. He is now in London after visiting southern Italy and may remain in London for the summer.

•

H. F. Wilks, Paramount district manager at Atlanta, and John F. Kirby, Atlanta branch manager, are here conferring with Oscar Morgan, southern division manager.

•

Wesley Ruggles, Columbia producer-director, sailed yesterday on the *Ile de France* for two months abroad. Also sailing were Leland Hayward and Margaret Sullavan, his wife.

•

Bela Lugosi left for the coast yesterday for work in "The Phantom Creeps" for Universal. He arrived from England yesterday morning.

•

Herman Wobber's present trip to Europe is his first in 10 years.

Jeffrey Bernerd, head of Grand National, Ltd., sails for England on the *Queen Mary* today after two weeks of conference here with Earle Hammons. Maurice J. Wilson, Bernerd's associate who accompanied him here from London, leaves for the coast by train today to visit several studios before returning to England.

•

Walter Damrosch will arrive in Hollywood May 15 to make his screen debut in Paramount's "The Star Maker."

•

John J. O'Connor, RKO theatre head, arrives in New York Monday after a two-week trip to the coast.

•

Peggy Mahoney of the Paramount Theatre publicity department, is back at her desk after a week's vacation.

•

Sol C. Siegel, Republic producer, is in town for home office conferences on production.

•

Larry Stein, publicity director for Warners in Chicago, is on a business trip to New York.

•

Eleanor Powell will make a personal appearance at Loew's State starting Thursday for one week.

•

Joy Hodges, Universal player, arrived from the coast by plane yesterday for a vacation here.

•

Maria Jeritza, who is Mrs. Winfield Sheehan, sails today on the *Queen Mary*.

# Matthews Named Motiograph Head

H. Thorwell Matthews has been appointed president and general manager of Motiograph, Inc., equipment company, by the company's board of directors. Matthews has been secretary of Motiograph for the past two years, and replaces Joseph B. Kleckner, who resigned last week.

Matthews declared the change would involve no alterations in company policy or operation, no personnel changes in sales or manufacturing departments and no major change in common stock holdings of the company.

# Talley Sailing Today For European Meets

Truman H. Talley, producer of Movietone shorts and news, sails today on the *Queen Mary*. He will attend London and Paris sales conventions of 20th Century-Fox and conduct a meeting of European Movietonews staffs in Paris early in May.

Among others scheduled to sail on the ship are Gilbert Seldes, CBS television director; Spencer Tracy, Robert E. Sherwood, George and Mrs. Arliss, Arturo Toscanini, Omar Kiam, Sir Robert Peel, son of Beatrice Lillie, and her mother, Mrs. Lucie Lillie.

# The Newsreel Parade

*Newsreels devote little space to the European war situation which has in past received considerable attention. The reels and their contents follow:*

MOVIETONE NEWS, No. 64—Cutter breaks ice. Warships return to Spain. Airliners under construction in France. Launch ship in England. Electric robot at New York fair. Pope bestows blessing in Rome. Peace celebration in Madrid. Summer fashions. Lew Lehr. Auto race. Skiing.

NEWS OF THE DAY, No. 262—Pope conducts Easter services. Plague in Oregon. Chamberlain and wife, strolling. Douglas dons robes. Fashion show. Queen Mary visits school. Auto race. Ski race. Dodgers vs. Giants. Boxing.

PARAMOUNT NEWS, No. 75—Forest fires in west. Danish royalty tours country. Midgets detained at Ellis Island. Egyptian tomb opened. Douglas takes office. Draft evader to face charges. Albanians flee. Rush defense forces in England. Louis beats Roper. Tribute paid to baseball inventor. Giants defeat Dodgers.

RKO PATHE NEWS, No. 79—King George inspects airplane factory. Electric exhibit at fair. New anti-tank guns. Glider meet. Garden party in Ireland. Springtime in English zoo. Salmon fishing. Life boat championships.

UNIVERSAL NEWSREEL, No. 764—New York "L" down. Pope makes Easter appearance. Army maneuvers in London. New army transport plane. Reform government in China. Douglas sworn in. Typical American mother. Parade in Milan. Gold exhibit for fair. Shoe fashions. Skiing. Salmon swim upstream. Auto steeplechase. Boxing.

# Nizer Papers Cover Radio and Film La

Analyses of two new branches law—phases of motion picture a radio activities—have been prepared Louis Nizer of the law firm of Phi & Nizer and have been made availa in convenient booklet form.

One of these, "The Right of P vacy," is an analysis of a new bra of motion picture law. It treats the right of public personali their individual privacy. The is a consideration of new principles law in radio and covers special le considerations which have arisen the broadcasting field and oth which have developed through operations of the Federal Communi tions Commission.

# New York Fund Ple On Air Sunday Nig

Greater New York Fund will g a special program over the Colum network from 8-9 P.M. Sunday part of its fund raising campai Mayor F. H. LaGuardia and Herb Bayard Swope will head the progr which will present Lowell Thon Marion Anderson, Tallulah Bankhe Jimmy Durante, Eddie Dowling J. Flippen, Tommy Riggs and the of "Pins and Needles."

# Saville to Coast on Metro English Pla

M-G-M's production plans in E land for this year's quota requi ments will be completed on the co in conferences among Louis B. Ma Ben Goetz, head of British prod tion, and Victor Saville, produ director

Saville arrived yesterday on *Queen Mary*. After two or three d in New York, he will leave for coast. Goetz, who arrived rece from abroad, is now at the studi

# See Nazi Spy Short

Officers of the Military Intellige Reserve Society of the Second Co area, specialists in counter-espion at a special meeting at the Town H last night saw "While America Slee M-G-M's short on Nazi spy activit Officials from Washington attende

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

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# kor Back, Urges A United Industry

(*Continued from page 1*)

n, Holland and the Scandinavian tries with John W. Hicks, for- chief.

ate in June or July he plans to o Australia with Hicks, and lat- hey are scheduled to tour South erica.

e greatest satisfaction I got out trip is that picture audiences not on the decline in Europe," or declared. "If anything, they growing. The only thing we have o to assure good business is to inue making films of universal al."

### Urges Cooperation

xhibitors in America should real- the plight of the film companies oreign markets and therefore co- rate with them in order not to air box-office prestige of the prod- Zukor said.

All legislation that would inter- with domestic business should be ided," he continued. "How exhib- s can benefit by hamstringing the ducers, by the Neely bill or other- e, is beyond my conception. The ibitor should help the producer get money back. The industry must e sustenance to continue as a go- concern.

I don't think that any legislators, eral, state or local, consciously t to hurt this business. If this brought about it will be by people o do not understand the business. tsiders have never solved our prob- s. We can do away with trade s much more effectively by in- try conferences than by legisla- ."

### Gives Code Approval

ukor thus approved the trade prac- code as a means of settling dis- es, and declared that if its phrase- ogy seems abstruse, then "it is the k of the lawyers to make it clear."

The British production industry, ich had been disorganized by "wild- " financing, is steadily coming k, he reported.

"British films now have a better ance for success than they did be- e the breakdown," he said. "The ducers are no longer squandering ney. Films are budgeted with re- d for the available market, and the ditional British care and thought being given to the product.

"In my opinion between 30 and 35 tures a year is a good production gram for England. If they tried increase it much more, I'd say they uld not succeed."

Paramount is making six films in gland this year, and may have re, depending on the stories and sts available. "We don't intend to ste our money on cheap quota pic- es," Zukor added.

### Unimpressed by Television

British television failed to impress kor. The development is "about the ne" as when he visited England a ar and a half ago, although the hnique has been improved, he und. "Television will have its fu- e in its own field, and I cannot sualize it replacing films in the the- re at any time. I don't think it ever ll be a medium for mass entertain- nt."

Zukor said that more is heard of a "war scare" in America than in Europe, but the situation has depressed business generally there. Spain, he anticipates, will be a "free and open market" for American film companies. He has not heard of any negotiations or feelers to reopen Italy to the film companies.

Paramount has no plans to expand its theatre holdings in England, which now include 18 or 20 theatres, he said. Zukor found audience taste in Europe much the same as here, but action is wanted in films more than dialogue.

## *Entertainment Only*

**"I don't think that films should be anything but entertainment," Adolph Zukor declared yesterday. "People hear and talk enough about topical subjects. When they go to the theatre they want entertainment, not political significance. That does not mean that controversional themes cannot be dealt with as entertainment. But let's forget propaganda and preachment. Let the newsreels deal with the topics of the day."**

## *M.P.T.O.A. Qualifies Its Pact Acceptance*

(*Continued from page 1*)

the national organization's statement of its views on the code, as the directors are being polled by mail and their replies, representing the views of affiliated units, will determine the parent organization's stand, Kuykendall indicated.

"I personally feel," Kuykendall said, "that exhibitors, regardless of affiliation, should welcome these proposals and give them a fair trial."

Kuykendall will leave for Washington tomorrow.

## *Table Sunday Film Bill*

SPARTANBURG, S. C., April 20.—By a vote of 57 to 45 the South Carolina House today tabled a bill to legalize Sunday films for charity.

## *G.N. and Fine Arts Renewing Activities*

(*Continued from page 1*)

purchase money was forwarded to Frenke yesterday and the agreement will eliminate the court action begun by the producer recently to relieve him of his Grand National obligations.

It was learned that negotiations for new financing for Grand National, while not yet completed, are in a final stage and give every indication of being consummated withn a reasonable time. When completed, Grand National immediately will increase its field sales force and put its distribution machinery in readiness for new season selling.

Fine Arts has commitments at this time to produce a total of 16 pictures for Grand National and this number may be greatly increased in subsequent negotiations. Most of these are scheduled for next season release, but at least five will be placed in production as rapidly as possible. These are "Wings Over the Pacific," third in the Cipher Bureau series; "Never Mind the Guard," "Wonder World," "Full Speed Ahead" and "At Your Age." Two pictures budgeted at more than $250,000 each are on the Fine Arts schedule.

Warner leaves for the coast by plane Sunday to get some of the pictures under way and will then return to complete negotiations with Hammons. While emphasizing that much work remains to be done, Warner said "Hammons gave me everything I asked for and for the first time since my association with Grand National I feel confident of its future."

Hammons said the agreement is a "go-ahead signal for Grand National," assuring it of delivery of the bulk of its required releases.

## *French Award to 'Brume*

"Quai des Brumes," French film, has won the French Academy Award, according to Film Alliance of the United States, Inc., which is releasing the film in this country as "Port of Shadows."

# *Reserved Seat Abolition Plea Gets Chuckles—and One Hiss*

Legitimate stage circles were chuckling yesterday at the forthright proposal of Frank Gillmore, president of Associated Actors & Artistes of America, to abolish all reserved seats as a cure for the evils of ticket speculation. Only the brokers and Theatrical Managers, Agents & Treasurers Union were up in arms at the idea.

Gillmore made the suggestion as an individual for use in the event that Acme Ticket Agency is successful in its suit against Actors' Equity and League of N. Y. Theatres to declare the ticket code void. Usually reliable courtroom sources reported yesterday that Referee Morris Cooper, Jr., would file his report today.

Producers and Equity officials declined to comment directly on the proposal but indicated that it would meet stiff opposition if presented seriously. There was a general disinclination, however, to consider the matter at any length because it is regarded as somewhat farfetched. Gillmore, former head of Equity, on the other hand, was in dead earnest. Briefly, his idea is to charge different prices for different sections of the house with "first come, first served" in each section. He pointed to its success in film houses.

Theatrical savants pointed out that reserved seats were a "new-fangled" idea introduced to the legitimate theatre in the past 100 years. The American theatre in Colonial days operated without reserved seats and it was customary for servants to come early to hold the seats for their masters who came at curtain time. In the late 1800's, popular thrillers worked on the "ten-twenty-thirty" basis and found it highly successful, but the better class of plays were already committed to the reserved seat principle. "Anyway," said one actor, "maybe it will do away with those who insist on coming in during an act."

# Para. Will Complete 15 Films by Sept. 1

HOLLYWOOD, April 20.—With four features completed for the new season and five in work, Paramount by Sept. 1 will have a backlog of at least 15 films completed and awaiting release on the 1939-'40 program of 60 pictures, Barney Balaban, president, said tonight before leaving for New York.

Balaban said the studio is farther ahead on its new season production than ever in its history. Leaving with him were Stanton Griffis, chairman of the executive committee, and Russell Holman, eastern production representative. They were here two weeks for production conferences.

Outside films for next season will be three from England, including two Charles Laughtons and "French Without Tears," and Harry Sherman's Hopalong Cassidy series as well as two others from Sherman.

Completed films are "Beau Geste," "What a Life," and the two Laughton pictures, "Jamaica Inn" and "London After Dark," the latter with Vivian Leigh. In work are "Ruler of the Seas," "Heaven on a Shoestring," "Disputed Passage," "Geronimo" and "The Cat and the Canary."

To develop new box-office "names" the studio has selected 14 younger players to be known as the "Golden Circle" group, who will be featured.

Details of the program will be disclosed at the national sales convention in Hollywood in June.

## *Sarnoff Sees Films, Television in Accord*

(*Continued from page 1*)

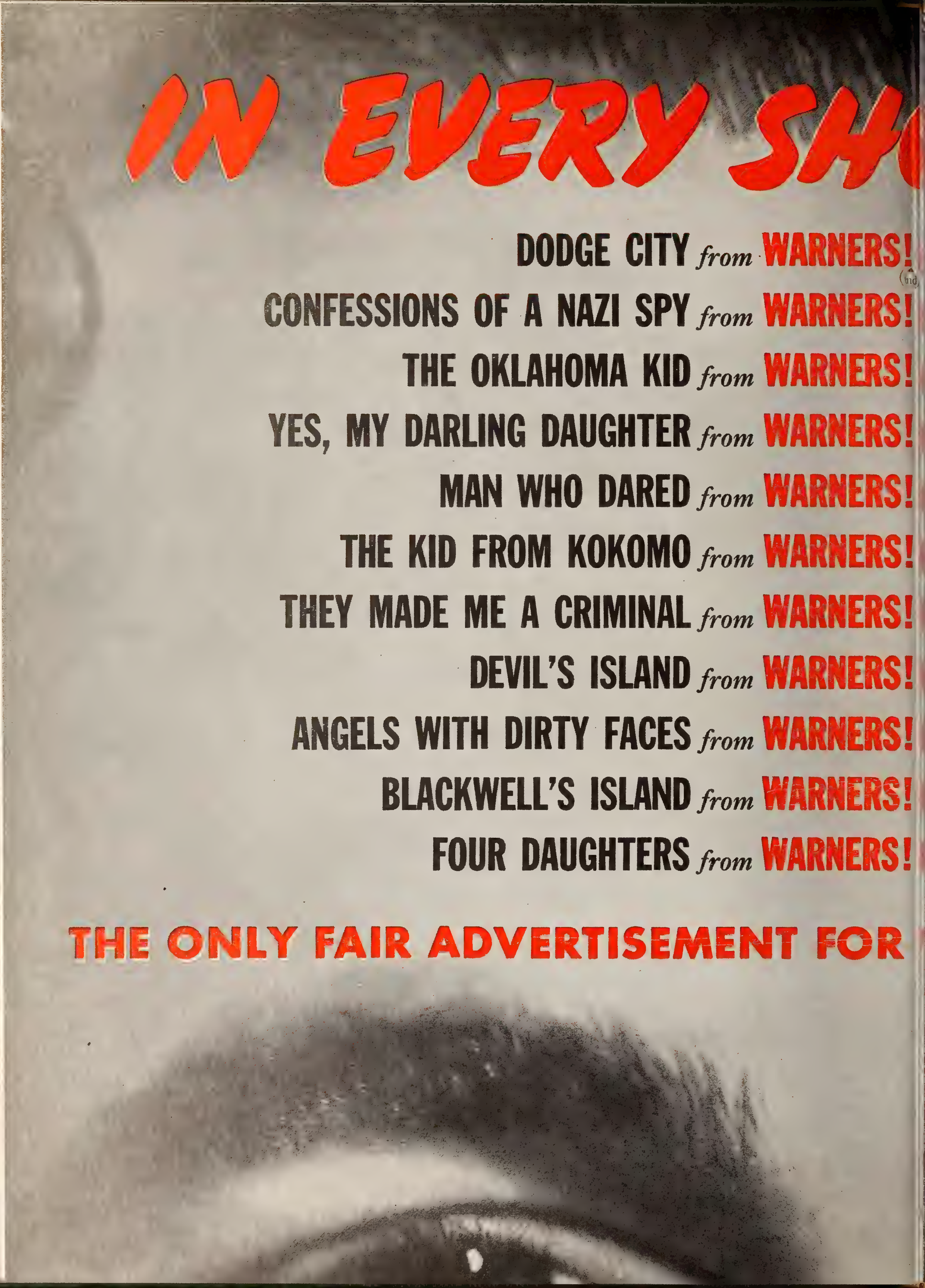
television "as far as may be practical and reasonable." Tomorrow, the final evening session will be devoted to a study of television.

Only a morning session was held today, with the banquet and a visit to the Warner studio taking the rest of the delegates' time.

### Papers Read

Consideration was given to photographic and laboratory technique.

Papers read on these subjects were: "A Direct-Reading Photoelectric Densitometer," by D. R. White, Du Pont Film; "An Instrument for the Absolute Measurement of the Graininess of Photographic Emulsions," by A. Goetz, W. O. Gould and A. Dember, California Institute of Technology; "RCA Aluminate Developers," by J. R. Alburger, RCA Manufacturing; "Some Factors Governing the Design, Construction and Operation of an M. P. Laboratory," by D. E. Hyndman, chairman of the committee on laboratory practice; "Simplifying and Controlling Film Travel Through a Developing Machine," by J. F. Van Leuven, Fonda Machinery Co.; "A Reel and Tray Developing Machine," by R. S. Leonard, Municipal Power & Light, Seattle; "A High-Intensity Arc for 16mm. Projection," by H. H. Strong, Strong Electric Co.; New 16mm. Recording Equipment," by D. Canady, Canady Sound Appliance Co.; "Notes on French 16mm. Equipment," by Canady.



# IN EVERY SH

DODGE CITY *from* **WARNERS!**

CONFESSIONS OF A NAZI SPY *from* **WARNERS!**

THE OKLAHOMA KID *from* **WARNERS!**

YES, MY DARLING DAUGHTER *from* **WARNERS!**

MAN WHO DARED *from* **WARNERS!**

THE KID FROM KOKOMO *from* **WARNERS!**

THEY MADE ME A CRIMINAL *from* **WARNERS!**

DEVIL'S ISLAND *from* **WARNERS!**

ANGELS WITH DIRTY FACES *from* **WARNERS!**

BLACKWELL'S ISLAND *from* **WARNERS!**

FOUR DAUGHTERS *from* **WARNERS!**

**THE ONLY FAIR ADVERTISEMENT FOR**

# MAN'S MIND!

**WARNERS** *made* **DARK VICTORY!**

**WARNERS** *made* **JUAREZ!**

**WARNERS** *made* **WINGS OF THE NAVY!**

**WARNERS** *made* **DAWN PATROL!**

**WARNERS** *made* **A FAMILY AFFAIR!**

**WARNERS** *made* **HELL'S KITCHEN!**

**WARNERS** *made* **EACH DAWN I DIE!**

**WARNERS** *made* **BROTHER RAT!**

**WARNERS** *made* **YOU CAN'T GET AWAY WITH MURDER!**

**WARNERS** *made* **THE DEVIL ON WHEELS!**

**WARNERS** *made* **THE SISTERS!**

## YEAR IS THE RECORD FOR THIS YEAR!

TICE,
EASE;
*re are no*
*nkles in*
*s brow.*

# THE STANDARD

## 5

## in all SAMUE

### HOW "WUTHERING HEIGHTS" MAKES FRIENDS AND INFLUENCES PEOPLE–

*by*

### *DALE CARNEGIE*

**"I am going to tell you immediately what I always wish reviewers would tell me in the first paragraph. And that is whether they think the picture under consideration is worth the time and money required to see it. The answer as far as 'Wuthering Heights' is concerned is a resounding "yes", a "yes" in italics, a "yes" underscored, a "yes" with four stars after it.**

**It did things to me. It choked me with emotion. It was eminently satisfying."**

## "'WUTHERING HEIGHTS' IS ONE OF

*"The three-way reward that a producer waits for whe*
*the reaction of the critics and the reaction of the publ*
*WUTHERING HEIGHTS."*

Samuel Gol

# F SHOWMANSHIP

# OLDWYN *Productions*

## HOW "WUTHERING HEIGHTS" MAKES FRIENDS AND INFLUENCES PEOPLE– *IN CHICAGO*

**W. K. Hollander of Balaban & Katz wires: "Congratulations for a grand production. Goldwyn's WUTHERING HEIGHTS hits new high for dramatic excellence. Despite three days of April showers, week-end crowds poured into United Artists Theatre to fine gross. Nothing but raves greeted the picture from press and public alike. Many women indicated they would see it again. We're grateful to Goldwyn for another dramatic triumph."**

## ASON'S DISTINGUISHED PICTURES."

(TIME MAGAZINE)

*ture is released, is the reaction of the exhibitor,*
*grateful to all concerned for the reception given*

Released thru
UNITED
ARTISTS

# Ohio ITO Fighting Sales Tax Action

Columbus, April 20.—Plans for an exhibitor defense against the action begun recently to compel the Ohio Tax Commission to collect $1,200,000 of sales taxes on film distributed in the state since the tax went into effect four years ago were discussed at a meeting of the board of the I. T. O. of Ohio today. David Palfreyman of the M. P. P. D. A. was here from New York to aid with defense plans.

Suit was brought by John V. Bostwick, a Columbus taxpayer. If the action were successful, exhibitors would be liable under provisions of their license agreements for any sums collected by the state. The four years of back taxes would amount to slightly more than six times the weekly film rental paid by each theatre.

## *13 S. America Cities Get 'Juarez' in July*

Hollywood, April 20.—Simultaneous openings of Warners' "Juarez" are being planned in thirteen South American capitals in July. The cities selected are Buenos Aires, La Paz, Rio de Janeiro, Santiago, Bogota, Quito, Ascuncion, Lima, Montevideo, Caracas, Georgetown, Paramribo and Cayenne. "Juarez" will have its world premiere at the Hollywood in New York next Tuesday.

## *Warners Consider New Shorts Series*

Hollywood, April 20. — Warners are considering a new series of short subjects, based on prize fight stories, and have tentatively set Maxie Rosenbloom and Johnnie Davis for the leading roles.

The pictures would be one reel in length and would be supervised by Gordon Hollinshead.

## *Urges Suit Settlement*

Charlotte, N. C., April 20.—Judge E. Yates Webb in Federal Court here has ruled that LeGette Blythe must prove infringement of his book, "Marshal Ney, a Dual Life," in the M-G-M film, "The Bravest of the Brave," before he is entitled to know the extent of the company's earnings from the film. The court urged a settlement of the $250,000 action.

## *Start Union Trial Today*

Trial of the suit of two motion picture operators, James J. Little and Milton Olshin, for $5,000 damages and an injunction against Local 306 of the N. Y. Motion Picture Operators Union, was started yesterday before N. Y. Supreme Court Justice Isidor Wasservogel. Plaintiffs charge a wrongful refusal of membership by the union.

## *Firm Changes Name*

Pictorial Film Library, Inc., has changed its name to Pictorial Films, Inc., and will produce shorts for the state rights market.

## *Va. MPTO Meet Set*

Roanoke, Va., April 20.—M. P. T. O. of Virginia will hold its 1939 convention at the Hotel Roanoke here, June 11 and 12.

# *Hollywood Previews*

## *"The Return of the Cisco Kid"*

*(20th Century-Fox)*

Hollywood, April 20.—The title means just what it says. It is the return of Warner Baxter to the role of the Cisco Kid, a character he created in "In Old Arizona" and "The Cisco Kid." It has a retrospective significance—it should carry exhibitor and patron, except those too young to remember, back to the memory if those two pictures. Within itself, with those recollections as props, it holds the promise of enjoyable entertainment for all.

"The Return of the Cisco Kid" is not a sequel to either of the above named pictures. It's a fresh, new and different romantic western story. The "Cisco Kid" is not the whole picture, but he is the chief factor. Rising from the grave, this dreamy desperado who lives to love all women and make all women love him as well as strike terror into the hearts of evildoers, picks up where he left off. Lynn Bari, Cesar Romero, Henry Hull, Kane Richmond, C. Henry Gordon, Robert Barrat, Chris Pin-Martin and Soledad Jiminez have things to do and they do them well, but it is Baxter who is the center of all the stirring action, the love interest and comedy. It's Baxter who startles and amazes Miss Bari, Hull and Richmond, whose ranch has been grabbed by Barrat. And it's he who dangerously, but suavely and comically, brings the fear of avenging justice to Barrat. He's the disappointed conquering cavalier who loses Miss Bari to Richmond. Yet it's he, a lover who knows what love means, who saves the boy for the girl as he hornswoggles Barrat once again.

All the way through the film, it is evident that Baxter thoroughly enjoys the restoration to his old role. There is also continual evidence that in preparing the screenplay, Milton Sperling had concerned himself with something more than a routine stint, while in directing, it is clear that Herbert I. Leeds realized he had a responsibility in building showmanship entertainment that would not permit the reputation of "In Old Arizona," "The Cisco Kid" or that of the title character to be tarnished. The outdoor mounting which producer Kenneth Macgowan gave this film is a value that exhibitors may use as an exploitation asset.

Running time, 70 minutes. "G."* G. McC.

## *"Big Town Czar"*

*(Universal)*

Hollywood, April 20.—As much a preachment as it is an item of entertainment, several unique twists serve to differentiate "Big Town Czar" from the usual gangster melodrama. Moral of the film is that crime doesn't pay, a subject which Ed Sullivan, who wrote the original story and appears in the show, frequently injects into his Hollywood column.

The picture gets off to a tricky start as Sullivan travelogues both the glamorous and squallid New York City and introduces the principal characters. Thereupon trigger-man Barton MacLane, abetted by his chum, Frank Jenks, moves in on Walter Woolf King's rackets. Although his parents, Oscar O'Shea and Esther Dale, as well as his sweetheart, Eve Arden, despise him for the life he leads, MacLane prospers. First shadows of avenging justice are cast when Tom Brown, MacLane's college boy brother, forces his way into the racket and is killed after double-crossing gambler Jack LaRue. Fearing for his own life, MacLane flees, only to be lured to a spot by the intimation that Miss Arden is in danger. Wounded while killing LaRue in a gun battle, MacLane, convicted of murder and awaiting execution, dictates to Sullivan his life story, which is advice to youngsters to live honestly and decently.

In common with all gangster melodramas, "Big Town Czar" has a definite thrill-action quality, and that, plus the cast names, are the elements to concentrate upon in exploitation.

Sullivan's original story was adapted by Edmund Hartman and directed by Arthur Lubin under Ken Goldsmith's production supervision.

Running time, 62 minutes. "G."* G. McC.

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**"G" denotes general classification.*

## *Receiver Dismissed*

Oklahoma City, April 20.—Roy L. Sullivan, receiver for the Dyer Theatre Supply Co. of Oklahoma City, has been dismissed by Judge Frank L. Douglas in District Court. The receiver's report revealed that $265 had been paid to equipment manufacturers on a $4,800 liability and $264 as receiver's fees.

## *Form Theatre Firm*

Oklahoma City, April 20.—A charter has been granted by the Secretary of State to the Star Theatre, Inc., at Sand Spring, Okla., Capital stock is listed at $10,000. Incorporators include Fred S. Gantz, Mary L. Gantz and J. Roy Tilely, all of Sand Springs.

## *Wilkes Barre Houses Discard "Film Guide"*

**Wilkes Barre, Pa., April 20. —With the end of the six-month newspaper workers' strike in Wilkes Barre and the reappearance of that city's three daily newspapers, the *Movie Guide* issued weekly by the local theatres has been discontinued. The theatres are using their normal advertising space in the dailies. The dozen houses involved were distributing approximately 80,000 tabloids featuring their attractions during the last weeks of the strike.**

## *Dismissal Denied in Wis. Bank Night Suit*

La Crosse, Wis., April 20.—Demurrers by the Welworth Theatre Co. and the La Crosse Theatres Co. to a complaint by Judge Robert C. Cowie which would prohibit Bank Night as a public nuisance, have been denied by Judge August C. Hoppmann.

The theatre firms in their demurrers maintained there was not cause for action. The ruling by Judge Hoppmann gives the theatre companies until May 3 to file replies to the decision.

Judge Cowie instituted the action against the theatre companies as a private citizen.

## *Republic Opens Sales Meeting in Chicago*

Chicago, April 20. — Republic opened its regional sales convention at the Drake Hotel today. George Yates welcomed the delegates this morning and Al Adams outlined the company's publicity and advertising plan.

The afternoon session and evening meeting were devoted to an outline of product and sales policy by James R. Grainger, president.

## *'Ma-maroh' to Giegerich*

Charles J. Giegerich will sell and exploit "Ma-maroh," four-reel film record of savage life on the island of Celebes. He also has closed a deal for handling 13 two-reelers on American historical subjects.

## *Denver Bans "Nation"*

Denver, April 20.—Robert E. Allen, local theatre manager, was fined $1,400 and sentenced to 120 days in jail for six showings of "The Birth of a Nation." The court held he violated a city ordinance prohibiting films which "tend to stir up or engender race prejudice." An appeal has been taken.

## *Ohio Rejects 15 Reels*

Columbus, April 20.—For the first time in several months the Ohio censors turned thumbs down on film submitted for review, when last week they rejected 15 reels.

## *B&K Asks Dismissal*

Chicago, April 20.—Suit of independent exhibitor Frank Ford against Balaban & Katz and the majors has been answered by B. & K. attorneys with a motion to dismiss.

# Midnight' $6,500 For Oklahoma City

Oklahoma City, April 20.—"Midght" at the Paramount here led the wn with a gross of $6,500. "Fast hd Loose" was good at the Tower, king $2,600, and "The Little Priness" drew $4,000 at the Midwest. he weather was cool.

Estimated takings for the week end- April 13:

**Midnight" (Para.)**
CRITERION—(1,500) (25c-35c-40c) 7 days. ross: $6,500. (Average, $5,500)
**Say It in French" (Para.)**
**Newsboys' Home" (Univ.)**
LIBERTY—(1,300) (20c-25c-30c) 4 days. ross: $1,700. (Average, $1,800)
**The Family Next Door" (Univ.)**
**King of Chinatown" (Para.)**
LIBERTY—(1,300) (20c-25c-30c) 3 days. ross: $700. (Average, $700)
**The Little Princess" (20th-Fox)**
MIDWEST—(1,500) (25c-35c-40c) 7 days. ross: $4,000. (Average, $4,500)
**Paris Honeymoon" (Para.)**
PLAZA—(750) (25c-35c-40c) 7 days, 2nd eek. Gross: $1,200. (Average, $1,700)
**Blondie Meets the Boss" (Col.)**
**Romance of the Redwoods" (Col.)**
STATE—(1,100) (20c-25c) 7 days. Gross: ,300. (Average, $2,500)
**Fast and Loose" (M-G-M)**
TOWER—(1,000) (25c-35c-40c) 7 days. ross: $2,600. (Average, $2,500)

# *Smart Girls' Smash In Buffalo, $15,000*

Buffalo, April 20.—"Three Smart irls Grow Up," with "Strange aces" at the Lafayette, was sensaonal at $15,000.

The Great Lakes drew a strong 14,100 with "Dodge City" and "Suden Money." Phil Spitalny and his irl orchestra boosted "Society Lawer" to $18,300.

Estimated takings for the week end- g April 15:

**Society Lawyer" (M-G-M)**
BUFFALO—(3,000) (30c-55c) 7 days. On tage: Phil Spitalny's orchestra. Gross: 18,300. (Average, $12,000)
**Dodge City" (W. B.)**
**Sudden Money" (Para.)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $14,100. (Average, $7,500)
**Little Princess" (20th-Fox)**
HIPPODROME—(2,500) (25c-40c) 7 days. nd week. Gross: $5,400. (Average, $6,800)
**'King of the Turf" (U. A.)**
**'The Flying Irishman" (RKO)**
CENTURY—(3,000) (25c) 7 days. Gross: 3,900. (Average, $6,000)
**'Three Smart Girls Grow Up" (Univ.)**
**'Strange Faces" (Univ.)**
LAFAYETTE—(3,300) (25c) 7 days. Gross: $15,000. (Average, $6,300)

# *Film Storage Corp. Sued*

Two suits against Lloyd's Film Storage Corp. for the return of 36 rints and 55 reels of short subjects were revealed in the N. Y. Supreme Court yesterday when Lloyd's asked for a consolidation of the actions and he right to cross plead both plaintiffs. Suits are by Pietro Ricci and Amerial Film Importing and Distributing Corp., both plaintiffs claiming ownership of the films valued at $5,000 and stored with Lloyd's.

# *Boyd Sues on 'Drums'*

James Boyd, novelist and author, filed suit yesterday in the N. Y. Supreme Court against Alexander Korda, London Film Productions, Ltd., and United Artists Corp., in which he asks for an injunction against the exhibition of the picture "Drums," and an accounting and judgment for damages. Boyd charges plagiarism of the title, "Drums," from a historical American novel of the same title written by him in 1925.

# *Hollywood Preview*

## *"Juarez and Maximilian"*

*(Miguel C. Torres)*

Hollywood, April 20.—Miguel C. Torres, producer of Spanish language films, including a version of this one in that tongue, is producer, director and author of "Juarez and Maximilian," known until recently as "Maximilian and Carlotta." It is a straight telling of the story of Maximilian's tragic experience as emperor of the Mexican monarchy set up by the armies of Napoleon III and knocked down by the armies of President Juarez. Although produced with a mainly American cast, the film is in the deliberate, dramatically underscored manner of Spanish production rather than in the standard Hollywood fashion.

Conrad Nagel, Guy Bates Post, Evelyn Brent, Frank McGlynn, Sr., Gustave Von Seyffertitz and Nigel de Brulier are the principal American cast names, with Jason Robards playing the Juarez character with his back to the camera throughout. Medea Novara, star of Spanish language films, plays the empress in the Spanish technique and with noticeable dialect.

Chief screen values are authentic settings and background, furnishings and facilities, made available to the producer by the Mexican Government. These have genuine interest.

Running time, 95 minutes. "G."* Roscoe Williams

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*"G" denotes general classification.*

# *Out Hollywood Way*

Hollywood, April 20.—Monogram is building up young Martin Spellman, 12, to featured and starring roles, having set "Oliver Twist," "Songs of the Navy," and "First Performance" for him. He was first seen in "Streets of New York" . . . Warners has reunited Bette Davis, Geraldine Fitzgerald and George Brent of "Dark Victory" in "Devotion," which Edmund Goulding will direct. Olivia de Havilland, Claude Rains and Jeffrey Lynn also have roles. The story deals with the Bronte Sisters . . . Fred Stone has been signed by Republic for "Tidal Wave" . . . Edward Ludwig, director, joins Columbia to guide "Coast Guard," costarring Randolph Scott and Ralph Bellamy . . . Walter Yurmann has been signed, with his assistant Hans J. Salter, by Arcadia to do the songs for "Miracle of Main Street."

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Fuzzy Knight has been given a contract by Universal to appear with Johnny Mack Brown in seven westerns for the new season . . . Warners have set Humphrey Bogart, Margaret Lindsay and Billy Halop for roles in "Desert Storm" . . . Edward Dmytryk, cutter at Paramount, took over the final week's direction of "Million Dollar Legs" when Nick Grinde was stricken . . . Republic has purchased for serial adaptation "The Drums of Fu Manchu," serial by Sax Rohmer running currently in the *Collier's Magazine*, and the film rights to the cartoon strip, "Tillie the Toiler," by Russ Westover. The latter property will form the basis for a series of pictures.

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With Fred Schuessler, who resigned as unit casting director at Paramount, replacing Charles Richards as Selznick International casting director, Bob Mayo has been hired to take Schuessler's former Paramount post. Another casting office change was Republic's hiring of Ken Morgan, trade paper reporter, as assistant casting director . . . Warners is preparing "Bridge of Sighs," which will have as its background the famous bridge between the Criminal Courts Building and the Tombs in New York City . . . Also being prepared at the lot is "Dead End Kids at Valley Forge," in which the youngsters will appear in a military school background. Pat O'Brien draws the top role . . . Christy Cabanne has been signed by Universal to direct "In Old California," first of the Dick Arlen-Andy Devine outdoor action pictures.

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*Casting*—David Torrence and Montague Love in "Ruler of the Seas," Paramount . . . Margaret Seddon to "Gone with the Wind," Selznick International . . . Margot Stevenson's first role under her Warner contract will be in "Dust Be My Destiny" . . . Samuel Hinds, Leon Errol, Raymond Hatton and John Qualen to "Career," RKO . . . Barbara Pepper, Florence Lake and Chester Clute to "Little Mother," RKO . . . Pat O'Malley to "Heaven on a Shoestring," Paramount . . . Janet Waldo to "Million Dollar Legs," and Elizabeth Patterson to "Our Leading Citizen," both at Paramount . . . Jackie Moran to "Hobby Family," Warners . . . George Tobias to "Maisie Was a Lady," new M-G-M title for "Broadway to Wyoming."

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*Titles*—"The Spirit of Knute Rockne" is the new title for Warners' "The Story of Knute Rockne" . . . "Across the Plains" has been set as the definite title for the next Jack Randall western at Monogram . . . The next Tex Ritter at the studio will be called "Down the Wyoming Trail."

# 'Culver' Hits $11,500 for Denver Lead

Denver, April 20.—The Denver took in top money, $11,500, with "Spirit of Culver" and Clyde McCoy's band on the stage. Both "I'm From Missouri" and "Story of Vernon and Irene Castle" were strong in their second weeks at the Denham and Orpheum, with $7,000 and $7,500, respectively.

Estimated takings for the week ending April 19:

**"The Little Princess" (20th-Fox)**
ALADDIN—(1,400) (25c-40c) 7 days, after a week at the Denver. Gross: $3,750. (Average, $3,500)
**"I'm From Missouri" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $7,000. (Average, $6,500)
**"Spirit of Culver" (Univ.)**
DENVER—(2,525) (25c-35c-40c) 7 days, with Clyde McCoy band on stage. Gross: $11,500. (Average, $9,000)
**"Story of Vernon and Irene Castle" (RKO)**
**"Fisherman's Wharf" (RKO)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week. Gross: $7,500. (Average, $8,500)
**"Blackwell's Island" (F. N.)**
**"Boy Trouble" (Para.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
**"You Can't Cheat an Honest Man" (Univ.)**
**"First Offenders" (Col.)**
RIALTO—(878) (25c-40c) 7 days, "Honest Man" 3rd week. Gross: $2,000. (Average, $1,750)

# *Griffith Amusement Transfers Managers*

Oklahoma City, April 20.—Griffith Amusement Co. has made several changes in the personnel of the circuit's city managers. Earl Settle, manager at Okmulgee, Okla., has been transferred to Frederick, Okla., in charge of the Ramona, Ritz and Grand. Kenneth Blackledge, Frederick manager, has been placed in charge of the Criterion, Royal and Empress at El Reno, Okla., acquired from Orville Enloe and Ed Loomis.

Lou Chatham, manager at Norman, Okla., has resigned to join the newly formed Griffith-Glen Dickinson circuit in Kansas City. Fred Jackson, Seminole, Okla., manager, has replaced Chatham at Norman and has taken charge of the Campus, Sooner, Varsity and University there. Boyd Scott, assistant manager of New Braunfels, Tex., theatres operated by Griffith and the Jack Pickens circuit, has been promoted to manager of the Uvalde, Tex., theatres, Strand and Ritz. David Dallas, recently with Tad Screen Advertising Service, Dallas, has left Tad to join Griffith-Dickinson circuit in Kansas City under R. J. Griffith, Jr.

# *Cleveland Exhibitors To Ban Giveaway Ads*

Cleveland, April 20.—About 75 per cent of the members of the Cleveland Motion Picture Exhibitors' Association, at a meeting today, agreed to eliminate from the newspapers all advertising copy on premiums, giveaways and the like.

The agreement will become effective only if it is signed by all the independent theatres in the Greater Cleveland area. This action is as initiating a move to eliminate all premiums in Cleveland.

# Minor Changes in New Regulations Issued by F.C.C.

WASHINGTON, April 20.—Federal Communications Commission has issued new regulations governing relay, international, television, facsimile, high frequency, non-commercial educational and development broadcasting stations. The new rules are effective immediately and make several minor changes in the various classes of stations.

Of principal general interest are the modifications in the rules governing facsimile broadcast and high frequency stations. Under the Havana allocation three low frequencies, previously used for facsimile broadcasting, are dropped. This deficiency is remedied through the addition of several frequencies from 25,000 to 116,000 kilocycles. The frequencies now available appear adequate to take care of the present demand and full technical development of this service.

### Add New Frequencies

While the high frequency stations are continued on an experimental basis, with the present restrictions as to commercial operation, several additional frequencies are made available both for amplitude and frequency modulation.

Under the new regulations licensees of relay stations are required to specify the regular broadcast station with which the relay station operates. All relay stations under the new rule must be definitely associated with a specific standard broadcast station or network system. The relay broadcast stations operating on frequencies from 30,000 to 41,000 kilocycles have been removed from the experimental classification and new frequencies have been provided from 130,000 to 138,000 to be operated either with frequency or with amplitude modulation.

No changes of significance have been made in the rules governing television stations.

## RCA Promotes Cahill

E. C. Cahill has been named manager of the Photophone division of RCA Photophone, in addition to his regular duties as director of general service. Harry Sommerer, former manager of the Photophone division, has been advanced to assistant to the executive vice-president.

## Form Ocala Broadcasting

OCALA, Fla., April 20. — Ocala Broadcasting Co., Inc., with authorized capital of 200 shares, par value $100 each, has been formed by J. F. Alsop, Jr., E. J. Alsop and F. S. Bugg.

## FCC Calendar

WASHINGTON, April 20.—Applications for construction permits have been filed with the Federal Communications Commission by the Nebraska Broadcasting Co., seeking a 1,200-kilocycle station at Hastings, Neb., and the Union Broadcasting Co., planning a 1,370-kilocycle station at Scranton, both with 100 watts power night, 250 watts day.

# Radio Personals

FRED WEBER, Mutual general manager, in from the monopoly hearings yesterday . . . Quentin Reynolds and Alfred Krembourg will be served up as the guest authors on "Author, Author" April 28. . . . Dave Driscoll of Mutual's special events department has just revealed that he's been a benedict for a week. His wife is Elizabeth Fredericks. . . . Guy Lombardo's band is set to perform for the Professional Music Men's benefit show, to be given May 7.

## To Broadcast News In Chicago House

CHICAGO, April 20.—Radio news broadcasts will become part of a regular theatre program when WBBM broadcasts through the sound system of the Esquire, a Harry and Elmer Balaban house, the latest United Press News flashes during the "Esquire Hour," a period devoted to shorts, news reels and cartoons on the regular program.

The news broadcasts direct from WBBM. A CBS station will occupy five minutes on the theatre program.

## To Name CBC Winners

MONTREAL, April 20.—Results of the Canadian Broadcasting Corp. nationwide drama contest, which drew over 200 original plays from Canadian writers, will be announced early in May. Cash prizes are to be awarded for the best four plays, with winning stories to be given special production over the CBC network.

## Change Brown Time

Joe E. Brown's program for General Foods Corp. on CBS, has had a change in broadcast time. Now heard on the network on Saturdays from 7:30 to 8 P.M., the show will switch to Thursdays, from 7:30 to 8 P. M. Benton & Bowles handles the program.

## Buys WFSA Interest

MONTGOMERY, Ala., April 20.—R. F. Hudson, publisher of the *Montgomery Advertiser,* has purchased a one-third interest in WFSA, local 1,000-watt station, from Howard Pill and H. S. Durden, both of whom continue as part owners. The station was established 10 years ago.

## Circuit Takes Program

SAN FRANCISCO, April 20.—Golden State Theatres, operators of nearly a score of houses here, have contracted with KYA for a new program to be known as "Movie Guide," five nights weekly on KYA. The show will include comment on current films and transcribed music.

## Renew Balter Series

"Inside of Sports," featuring Sam Balter's commentaries and broadcast coast-to-coast over 17 stations of the Mutual network, has been renewed through June 10. The renewal is effective May 1. Ivey & Ellington is the agency.

## Facsimile Is Shown In Canada Commons

MONTREAL, April 20.—Facsimile broadcasting has been officially introduced in Canada, the Radio Committee of the House of Commons having witnessed the first Canadian demonstration at the invitation of Leonard W. Brockington, K. C., chairman of Canadian Broadcasting Corp.

The demonstration took place in the committee room before 200 spectators, including among them Cabinet ministers, members of the Senate, the Radio Committee, CBC officials and others. Both sending and receiving instruments were located in the committee room so that the two operations would be observed by the spectators. The demonstration was considered a marked success.

## NBC and Time Sued On Voice Imitation

Suit for undisclosed damages has been filed against Time, Inc., and the National Broadcasting Co. in the N. Y. Supreme Court by Helen Wachtel. On July 28, 1938, plaintiff alleges, she consented to a March of Time broadcast for the following day, in which her voice was to be simulated. Plaintiff charges the defendants with imitating her voice in a crude fashion.

## Renew Whiteman Deal

Scotching rumors that Liggett & Myers Tobacco Co. was contemplating abolition of the Paul Whiteman series over CBS because of its newly signed contract for time with NBC, the company yesterday renewed Whiteman's contract for his current Wednesday night Columbia show for another 13 weeks. Present contract is to June 21, and with the renewal, the series will carry through to Sept. 20. Newell-Emmett is the agency.

## Albert Warner to CBS

Albert Warner, chief of the Washington Bureau of the New York *Herald-Tribune,* has resigned his newspaper post to join the CBS department of public affairs as a political news analyst and commentator.

## Advance Radio Bill

ALBANY, April 20.—Senator Coudert's bill protecting announcers, commentators, networks and stations from libel was advanced to its third reading in the Senate here today. The companion bill sponsored by Senator Moffat previously passed the Assembly.

## KPO Signs with AFRA

SAN FRANCISCO, April 20.—Members of the KPO-KGO announcing, news, and sound effects department have signed 100 per cent with the American Federation of Radio Actors, according to Vic Connors, local A. F. R. A. secretary.

## Taylor in Lux Show

Robert Taylor and Frances Dee have been teamed to appear in the radioized version of "Broadway Bill" on the Lux "Radio Theatre" April 24 over CBS. Taylor's last Lux appearance was in 1937.

# Banner LINES

AL ROSEN, manager of Loew's State Theatre, and Al Simon of WHN, vouch for this one. There is a daily WHN interview broadcast from the lobby of the theatre. A young lady, during the course of an interview, was asked what she would rather be than a secretary. "Married," she replied, "and I [illegible] cook!"

Fifteen minutes later, Rosen reports, he received a telephone call from a young man who "caught" the broadcast. "I'll marry the girl," he said. "Just give me her name and address."

▼

*Screen Actors' Guild program will leave the air for the summer, but it will be back in the fall. Program did not enjoy a particularly high Crosley, but the sponsor and agency expect that with another season behind it, the program will reach the upper brackets of popularity . . . probably a correct assumption.*

▼

**"Juarez," the new Paul Muni picture, will receive a tremendous "ride" on the networks, according to plans now being formulated by Warners. It will match the exploitation "Alexander's Ragtime Band" and "Dodge City" received over the ether.**

▼

Contract of the "Easy Aces" has just been taken up—at a generous increase—by the Hummerts of the Blackett - Sample - Hummert agency, who hold their contract. The Aces now are receiving $2,000 a week, and with the increase their weekly pay will reach $3,500.

In renewing with the Hummerts, the Aces turned down an offer of $5,000 a week made by Campbell Soup, which wanted them for a morning series. With the Aces broadcasting for them in the morning, and Amos 'n' Andy at night, Campbell Soup would have had a monopoly on the two most popular comedy script series in radio.

Reasons why the Aces turned down the soup offer may appear ridiculous from a strictly business viewpoint, but those who know the Aces will understand. In the first place, Ace hates to work in the morning; he hates the five-a-week grind (which is what Campbell wanted him to do) and he enjoys his association with the Hummerts, who leave him severely alone and sometime do not see him personally for months at a time, sending the check to his home.

▼

*Seven young men under 30 have been nominated as "successes" by the Advertising Club of New York. Two radio folk are in the group. They are Joe Creamer, WOR's brilliant promotion director, and Fred Smith, formerly of Batten, Barton, Durstine & Osborn, and now a free lance press agent.*

▼

Lucy Monroe has been set for a cross-country concert tour by Columbia Concerts Corp. She performs in "Faust" in St. Louis Monday night with Ezio Pinza, and will do a joint recital with Jimmy Melton in Tulsa April 30.

—JACK BANNER

the next issue of

# Better Theatres

## SPRING BUYERS NUMBER

out April 29th

## BUYERS INDEX

. . . the Industry's standard equipment, furnishings and materials purchasing guide, revised for the Spring Buyers Number.

## "BLACK LIGHT"

. . . another tool for the showman, the application of which will be detailed by Francis M. Falge, noted authority on practical theatre lighting.

## HOW LARGE A PICTURE?

. . . an old problem, a new attempt to arrive at an answer, for the better understanding of the factors contributing to an effective show.

## Choosing Carpet Patterns

. . . counsel, in showman's terms and language, on how to make carpeting contribute to the atmosphere that is part of the theatre's stock in trade.

. . . in addition to other special features and regular departments

●

**POTWIN**
. . . on Acoustic Treatment Materials

**SCHLANGER**
. . . on Slope of Auditorium Floor and Row Spacing

QP

# Swing It Baby!

## with National Screen Trailers

## because--

They combine in one two-minute message all the emotions and reactions that you get from the picture itself.

BECAUSE their effectiveness is only equalled by their low cost per ticket sold.

BECAUSE they are made by the type of advertising men you'd have on your payroll if you could afford them.

BECAUSE they are sold to a one hundred percent audience while the audience is in a mood to listen AND BUY!

Swing it toward the box-office with National Screen Trailers—

NATIONAL Screen SERVICE

Prize Baby of the Industry!

MR. MAURICE McKENZIE,
c/o MOTION PICTURE PROD. &
DIST. OF AMERICA, INC.
28 WEST 44TH ST.,
NEW YORK, N. Y.

DO NOT REMOVE

ndispensable
to the Motion
Picture
ndustry

ON PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 78 NEW YORK, MONDAY, APRIL 24, 1939 TEN CENTS

# I. A. T. S. E. COAST PEACE HOPE WANES

## 0th-Fox to Go ll the Way in atin America

### ent Will Study Market On Convention Trip

Twentieth Century-Fox "will go all e way in its plans to expand its tivities in Latin America in accord- ce with the policy of Pan-American operation," Sidney R. Kent, presi- nt, declares in a message to em- oyes.

"It is the duty of American pro- cers not only to stimulate great- business relationship with Latin merica, but also to encourage further velopment of our industry in Latin merican countries, and by that we ean production and exhibition," Kent ys.

The company is contemplating ex- nding its production of Spanish nguage films, depending on the re- ption given releases and conditions they develop in the next few onths. This year 20th Century-Fox s a program of five Spanish lan- age films, four made by Ramos obian, who has completed one, and

(Continued on page 8)

## owe Is Named UA South Africa Head

Al Lowe has been assigned as man- ging director for South Africa by rthur W. Kelly, vice-president in arge of foreign distribution for nited Artists. Until recently Lowe as in charge in Japan. He will sail r his new post in about a month. he subsidiary which United Artists ill form in South Africa will be nown as United Artists South Africa, ty., Ltd.

Headquarters will be in Johannes- urg, with branch offices planned in orthern and southern Rhodesia. The ew setup there means the end of re- tions with the dominant African onsolidated (Schlesinger) circuit and istributing organization. A new cir- uit to be serviced in a joint arrange- ent by U. A. and 20th Century-Fox being created by Cinema Theatre In- estments, Pty., Ltd. Seventeen houses re set now and a total of 38 is lanned by next year.

U. A. will start operations in the eld in July with the release of the 938-'39 product, including films made or the British market. Consolidated is eleasing the 1937-'38 product. African onsolidated has about 200 theatres.

### *Wisconsin Divorce Measure Is Killed*

**Madison, April 23.—Wisconsin's affiliated theatre divorce bill was killed in the Assembly here yesterday, thereby disposing of the measure for this session. Defeat of the measure was assured when it was reported out of commitee a week ago with a recommendation that it be killed.**

## American Pictures Still Are Popular in Germany, Says Nelle

Despite anti-American propaganda, American films are highly popular in the larger German centers, although the Government makes sure that only a limited number receive first run showings in Berlin, according to Anthony Nelle, who spent two years in Germany as a producer-director.

In the inner circles of Germany there is talk that the Nazis will attempt to oust the three American companies still operating there, and while propaganda Minister Joseph Goebbels might be contemplating such action, it is not likely to occur this year, Nelle reports. Paramount, M-G-M and 20th

(Continued on page 8)

### *Three Weeks for 'Victory'*

"Dark Victory" is set for a three-week run at the Radio City Music Hall. The weekend business was strong, with an estimated $65,000 in its first four days.

## Lack of Funds May Hit Trust Drive of U. S.

Washington, April 23.—Thurman Arnold, assistant attorney general, this week faces his last chance to obtain funds to carry on his anti-trust drive against the motion picture industry. The House Appropriations Committee is expected to act on his appeal for more funds to double his staff.

Arnold was turned down by the committee last month when he appealed for additional cash for new motion picture cases. His plea for money to enlarge his staff is being made in the Department of Justice appropriation bill, now under consideration.

**Arnold May Quit**

It is rumored that Arnold's position under Attorney General Murphy is not as satisfactory as it was under Homer Cummings and that he has contemplated resigning. It is believed that if his request for money is turned down he will quit.

Lack of funds also dissipates the threat of a monopoly investigation by the Temporary National Economic Council. Members of the council, however, indicated that the fate of the

(Continued on page 6)

### *Demands of Kibre Bring Impasse; N.L.R.B. Quits Sessions*

Los Angeles, April 23.—Weekend developments brought rapid shifts in the turbulent I.A.T.S.E.-Local 37 situation here. Hopes for peace in the long-drawn out battle for control of the technicians' local were running high on Friday when they were extinguished suddenly by new demands introduced by Jeff Kibre, minority leader of the local, introduced early in the course of a night meeting, attended by Dr. Towne Nylander, regional N.L.R.B. director; I.A.T.S.E. officers, and producers' attorneys.

This new flare-up may cause a reopening of the investigation into union affairs by District Attorney Buron Fitts, and the possible reinstatement of George Browne's general strike call.

A studio-wide union dues strike against I.A.T.S.E. was started over the week-end by officers of Studio Technicians Local 37 as all hopes of early settlement of the fight between international and local officers for control of the suspended studio unit disappeared.

Joseph W. Carpenter, local president, ousted with other officers when international suspended autonomy of the studio organization announced that 10,000 pledges not to pay dues to I.A.T.S.E. were being circulated not only in local 37 ranks but in the other three locals, Studio Photographers 659, Laboratory Workers 683, and Sound Technicians 695. John W. Gatelee,

(Continued on page 6)

## *Several Hundred Expected At Variety Club Convention*

Detroit, April 23.—Several hundred visitors are expected here for the fifth annual convention of the Variety Clubs of America, which will start next Thursday and wind up with the annual banquet Saturday night. Sessions will be at the Book-Cadillac Hotel.

Plans will be discussed to further the Variety Clubs' charity activities, which have grown to large proportions since John H. Harris of Pittsburgh, National Chief Barker, founded the organization several years ago. Variety's purpose is "doing charity within the industry and aid to outside charitable projects."

The national board of directors will meet on Thursday and Friday, with general sessions Friday and Saturday afternoons. Complimentary dinners for the national officers will be held Thursday and Friday, with delegates attending on the second night.

About 800 persons are expected at the banquet. Speakers will include Attorney General Thomas Reed, Walter Chrysler, William Knudsen, chairman of the board of General Motors, William F. Rodgers, M-G-M general sales manager, and Ned E. Depinet, vice-president of RKO. There will be an elaborate show, with George Jessel and Ethel Shutta among the headliners. Norman Frescott will be toastmaster.

Delegations will come from various sections. Bob O'Donnell will head a group of 20 from Dallas and Al Stef-

(Continued on page 6)

## Nick, Weston Ousted From Union Control

St. Louis, April 23.—John P. Nick, indicted czar of the motion picture operators' local union and vice-president of the international union, and Clyde A. Weston, business agent of the local, were ousted from control on Friday by decree of Circuit Judge Ernest F. Oakley.

The court appointed James A. McKeown receiver and ordered that control of the union be restored to members under his supervision. McKeown is empowered to weed out members who were admitted improperly by Nick and Weston.

Further the order, effective immediately, prevents interference by International with Local 143 or the 60 members who joined in the suit against Nick and Weston.

## Jack Warner Gets Wire from Cardenas

**President Lazaro Cardenas of Mexico has sent a telegram to Jack L. Warner, vice-president in charge of Warner production, on the occasion of the opening of "Juarez" in New York tomorrow. He said:**

**"I wish all kinds of success to 'Juarez,' hoping that your work will have the right compensation and your efforts will duly honor the moral and social work of the great Mexican, Benito Juarez."**

## Notables to Attend Opening of 'Juarez'

New York's social elite, members of the Mexican Government's official and diplomatic corps, and prominent industry executives will be on hand tomorrow for the world premiere of Warners' "Juarez" at the Hollywood. It will start a regular two-a-day run Wednesday.

A special train from Washington will bring ambassadors or their representatives of every Latin American country and U. S. Government officials whose departments are concerned with Pan-American relations.

Many Warner executives will be in town for the event. Major Albert Warner, Gradwell L. Sears, Joseph Bernhard, Charles Einfeld, Carl Leserman, Sam E. Morris, Mort Blumenstock, Joe Hummel, Robert W. Perkins, W. C. Patterson, Sam Carlisle, Herman Starr, Sam Schneider, Roy Haines and S. P. Friedman.

Other industry representatives expected are Sidney Kent, Marvin Schenck, Jules E. Brulatour, Si Fabian, W. G. Van Schmus, Irving Lesser, John O'Connor, Fred Meyers, J. M. Seider, Max Fellerman, Eugene Picker and Lou Notarius.

### Represents Cardenas

Ramon Bepepa, under secretary of foreign affairs, will come to the city from San Antonio, Texas, to be on hand as the official representative of the Cardenas administration. Don Luis Quintanilla, resident minister of Mexico, Dr. Rafael Fuentes, counsel to the Mexican Embassy, and a number of the staff, will arrive by special train.

Countess von Haugwitz-Reventlow, the former Barbara Hutton, Prince and Princess Vladimir Koudachoff, Dr. Raymond Moley, James W. Gerard, Deems Taylor, Frank Gillmore, Esme O'Brien, Mr. and Mrs. John D. Rockefeller, Jr., Mr. and Mrs. George M. Cohan, Mr. and Mrs. Kermit Roosevelt, Arthur Hays Sulzberger, Mrs. James P. Donahue, Mr. and Mrs. John W. Davis, Mr. and Mrs. Bernard Gimbel, Helen Menken, Jules Bache, Mrs. William Randolph Hearst, Mr. and Mrs. Bert Lytell, Mr. and Mrs. Walter Damrosch, Edwin P. Hill, Benjamin de Casseres, James Speyer, Henry P. Luce, H. V. Kaltenborn, Peter Arno, Mrs. Alfred Knopf, Brock Pemberton, Clifton Webb, and Mr. and Mrs. Grantland Rice are some of those expected.

WMCA will broadcast the proceedings locally and it will be carried over the country by a nationwide hookup.

# ◂ Purely Personal ▸

Cecil F. Mason, Columbia manager in Australia, arrived in New York from the coast over the weekend for conferences with J. A. McConville, foreign manager. Mason will attend the company's annual sales meeting in Atlantic City, May 8, and visit briefly in Hollywood before returning to Australia.

•

Penny Singleton, Columbia player, is due in New York from the coast today by plane. She will make personal appearances at the Criterion and will be guest of honor Thursday at a dinner being given by publishers and editors here for the American Newspaper Publishers' convention.

•

Herbert Wilcox and Anna Neagle, who will star in his picture on Edith Cavell for RKO release, sailed from England on the *Aquitania* Saturday and is due in New York on Friday.

•

Eddie Ruby has been designated the official World's Fair photographer, and his staff will include cameramen Saul Midwall, Frank Broda, Louis Tumola and Charles Wecker.

•

Hal Horne, Lynn Farnol, Jack Cohen, I. E. Lopert, Bill Feitelson, Michael Todd, Charles Stark and Bill German, at lunch at the Tavern Friday.

•

Mr. and Mrs. Sam Harris and a group of friends attended the Friday night showing of "Dark Victory" at the Music Hall. Mrs. Harris is the sister of George Brent, who appears in the film.

•

J. J. Milstein, eastern representative of Edward Small, leaves Thursday for the coast and will attend United Artists' sales convention in Hollywood, May 8-10.

•

W. Ray Johnston, president of Monogram, returned to New York Friday after regional premieres in Oklahoma City and Atlanta of "Streets of New York."

•

Adolph Altman, former official photographer for Ascap, has gone to the coast as photographer for 20th Century-Fox.

A. H. McCausland, newly appointed business manager for the Harry Edington production organization, will leave New York tomorrow or Wednesday by automobile for the coast, where he will take up his new duties about May 10.

•

S. Barret McCormick was one of five judges in the "Gateway to Hollywood" contest broadcast last night. Others were Joel McCrea, Frances Dee, George Stevens and Renee.

•

S. Charles Einfeld, director of advertising and publicity for Warners, will leave New York for the studio this week.

•

Jack Touhy, upstate New York salesman for Paramount, and Dorothy Corbett will be married the middle of next month.

•

Irene Castle is flying from Chicago to Hollywood to appear on Eddie Cantor's Caravan program tonight.

•

Ray Schmertz of the 20th Century-Fox exchange in Cleveland was married Friday to Lois Wolf.

•

Sam Harris, publisher of *The Cinema*, has arrived in London from New York with his son, Horace.

•

Will H. Hays will leave for the coast for his annual spring visit within the next few days.

•

E. K. (Ted) O'Shea, eastern district manager for M-G-M, has returned from Washington.

•

Phyllis Brooks sailed Friday on the *Queen Mary* to make "First Episode" for British International.

•

Virginia Cherrill, now the Countess of Jersey, sailed Saturday on the *Rex*.

•

Lester Sturm, Detroit branch manager for 20th Century-Fox, is due today to work with W. C. Gehring, central division manager, on a Michigan circuit deal.

•

Mrs. Bertha Latts, exhibitor in Ashland, Wis., has been vacationing here.

## Pathe News to Film 'Information Please'

RKO Pathe News will film a test reel of "Information Please," the popular radio quiz program, and if audiences approve, a series of 13 reels will be made.

Same cast that appears in the radio program will appear in the picture—Clifton Fadiman, book critic of the *New Yorker* as master of ceremonies, and the board of experts will include John Kiernan, sports editor of the *New York Times;* Franklin P. Adams, columnist of the *New York Post*, and Oscar Levant. A different guest star will appear in each reel.

## NSS 'Adopts' 3 Orphans

Employes of National Screen Service have "adopted" three Spanish orphans. The "adoption" takes the form of providing for the three in the children's colonies at Biarritz conducted by the Foster Parents Plan.

## First Big 20th-Fox Deal Is With Warner

First national circuit deal closed by 20th Centurv-Fox for 1939-'40 is with Warners. The contract is for one year and covers about 250 theatres. The deal was consummated by William Sussman, eastern division manager. Negotiations are under way with other circuits.

## Young of Ascap Dead

Joseph Young, secretary of Ascap for the past 10 years, and a former popular song writer, was buried yesterday from West End Funeral Chapel. Young died Thursday night after a brief illness.

## Montgomery to London

M-G-M is planning to have Robert Montgomery go to London to star in "The Earl of Chicago" and "A Busman's Holiday." Both pictures will be made at the Denham Studios.

## Para. Planning New $12,000,000 Studi

Hollywood, April 23.—Paramoun will begin construction in the nea future of a new $12,000,000 productio plant to be known as Paramount City Barney Balaban, president, said prio to his departure for New York ove the weekend. The new studio will b erected on a recently acquired acre tract at Pico Blvd. and Over Ave., near the 20th Century-Fo plant.

For the past two years, Balaba said, the company has been in searc of a location for its new studio an is now ready to proceed with con struction. The plant will consist o 26 sound stages with 500,000 squar feet of space, as well as administratio buildings, dressing rooms, shops an other buildings. In addition there wil be extensive recreation facilities fo employes, such as gymnasium, swimming pool and tennis courts.

The $12,000,000 construction figur includes the price of the site, construction and equipment. All buildings wil be air-conditioned and the latest equipment will be used throughout.

Construction will be by units wit two sound stages and dressing room to be started first.

## Detroit Branch Heads RKO Quota Winners

Detroit branch, J. Sharkey manager headed the list of six winners in RKO's "Studio Appreciation Month," based on features and shorts shipments against quota for the month of March.

The other winners in order were Charlotte, Joe Breechen, manager, second; Atlanta, G. C. Brown, manager, third; Washington, R. J. Folliard, manager, fourth; New York, Bob Wolff, manager, fifth, and Calgary, H. F. Taylor, manager, the winner for Canada. The RKO studios, headed by Pandro S. Berman, have forwarded special mementos to six managers, 20 salesmen and six office managers.

## 20th-Fox Buys 'Wrath'

Hollywood, April 23.—Darryl F. Zanuck has bought John Steinbeck's novel, "Grapes of Wrath" for production by 20th Century-Fox.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# larch Tax Revenue Rises to $1,606,996

WASHINGTON, April 23.—Admission ax collections in March showed an ncrease of approximately $100,000 ver February but $166,000 under March, 1938, it was reported by the ernal Revenue Bureau.

Collections for the month, the bureau announced, totaled $1,606,996, gainst $1,503,127 in February and 1,773,075 in March of last year, ringing receipts for the first quarter f 1939 to $4,674,257, or approximately 112,000 under the $4,786,131 obtained n the same period in 1938.

Figures for the first nine months of he fiscal year which ends June 30, ext, showed that admission tax collections of $14,988,832 were $1,251,317 nder the $16,240,149 collected in the ame period a year ago.

Collections in the Third New York Broadway) District improved in armony with receipts from the country as a whole, the bureau reported, March revenues being $612,785, compared with $514,746 in February.

Receipts from box-office admissions ncreased nearly 25 per cent, from $446,555 to $549,647, it was shown. Other collections were $5,639 from ree or reduced rate admissions, against $6,096 in February; $13,934 from tickets sold by brokers, against $13,786; $1,068 on tickets sold by proprietors in excess of established price, against $19; $18 on permanent use or ease of boxes and seats, against $612, nd $42,478 from admissions to roof gardens and cabarets, against $47,677.

## *Second Suit Is Filed By Para. Stockholder*

Paramount Pictures, Inc., its officers and directors, and Paramount Theatres Service Corp. were named defendants in a second stockholders' suit filed on Friday in the N. Y. Supreme Court by Rae Nasoff, holder of 200 shares of common stock. A $20,000,000 loss to the company from 1935 through 1938 is charged through alleged mismanagement and waste on the part of officers and directors.

Inefficiency in the preparation and shooting of pictures and in protracted idleness of expensive stars and directors are charged. Abandonment of pictures, according to the plaintiff, caused substantial loss to the company, that of "Hotel Imperial" alone purportedly amounting to $1,250,000. An accounting and judgment for damages are asked.

## *110 Cases Wait Test Of Canada Film Act*

MONTREAL, April 23.—There are 110 cases in Recorder's Court here waiting decision in a test case in Superior Court involving the children's admission provisions of the Motion Picture Act.

The test case is an application for a prohibition order to prevent the Recorder's Court from hearing a complaint against Joe Brown, theatre employee, of having admitted a child under 16. Brown had objected on the ground that authorization of the Attorney General for the charge had not been obtained. The Recorder dismissed the objection and Brown moved for a prohibition order in the higher court.

## *Talley Totes Masks For European Staff*

**Truman H. Talley, head of Movietone, took a case of gas masks when he sailed Friday on the *Queen Mary*. They were obtained from the War Department and are intended for members of the London and Paris staffs of the newsreel.**

**Movietonews has completed plans for war coverage, with a laboratory established in every capital and measures taken for quick transport of the reels to America. Talley plans to visit all newsreel centers and will hold a convention of his European staffs in Paris, May 15 and 16.**

# Union Pacific Train En Route to Omaha

HOLLYWOOD, April 23.—The Union Pacific special train, of the period of 1860, will leave tomorrow for Omaha, where Cecil B. DeMille's "Union Pacific" will open April 28. Aboard the train will be Barbara Stanwyck, Joel McCrea, George Raft, Lynne Overman, Robert Preston, Lloyd Nolan, Brian Donlevy, Anthony Quinn, Katherine DeMille, Betty Grable, Patricia Morison, Evelyn Venable, Judith Barrett, Evelyn Keyes, and numbers of other players.

DeMille will leave for Omaha immediately after his broadcast on the Lux "Radio Theatre" Monday night, overtaking the Union Pacific outside of Salt Lake City and proceeding the rest of the way on the train. In DeMille's party will be Mrs. DeMille, Mr. and Mrs. John Blaut DeMille, Neil McCarthy, associate producer William H. Pine, Arthur Rosson, William Herbert, G. L. Richardson, Don English and Gladys Rosson.

Ceremonies will be staged en route at stopovers, and broadcasts directly from the train will be aired. Following the premiere DeMille will make appearances in Chicago, New York and Washington, while the special, with its personalities abroad, will swing around the country.

## *Turrou in Ohio*

Leon G. Turrou, former G-Man, who is making a lecture tour in behalf of Warners' "Confessions of a Nazi Spy," will speak in Lima and Mansfield, Ohio, today. Tomorrow he speaks at Akron and Wednesday before the Cleveland Advertising Club.

## *Carr Due at U. A. Meet*

Theodore Carr, joint managing director of United Artists in the United Kingdom, will attend the company's national sales convention in Hollywood, May 8-10. He sails from England next Wednesday on the *Normandie*.

## *Theatre Tax Action Seen*

ALBANY, April 23.—A committee has been named to study the proposed two per cent sales tax. It is expected that its report, due by the end of next week, will settle the question of whether the retail impost will be levied on theatres.

## *Film Companies Aid Exposition of Allied*

Film companies are cooperating with New York Allied in staging its annual convention and exposition May 23-25 at the Astor. It is planned to make this an industry-wide affair. The I.T.O.A. also is cooperating and has taken a display booth.

Plans were discussed at a meeting of the reception committee Friday at the Astor, with Max A. Cohen, president of the unit, as chairman. Convention business sessions will be held on the afternoons of the three days. Entertainment will include attendance at theatres the first night, a World's Fair visit the second, with a banquet winding up the affair on the night of May 25.

H. M. Richey of RKO, chairman of the reception committee, is to call a meeting on plans for film company cooperation. Martin Starr, WMCA commentator, will work with the committee and it is planned to broadcast the banquet over the WMCA-Inter-City Network.

Among those attending Friday's meeting were Charles Stern, U. A.; George W. Weeks, Monogram; Eddie Schnitzer, Warners; Milt Kusell, Paramount; Lou Weinberg, Columbia; E. Thornton Kelly, New York Allied executive secretary; Sam Shain, Marvin Kirsch, Richey and Starr.

## *K. M. T. A. Will Hold Convention May 23*

KANSAS CITY, April 23.—Annual convention and election of the Kansas-Missouri Theatres Association will be held here May 23 and 24, and will concentrate its attention largely on the trade practice code. The association, under Frank Cassil, president, will approach the code from two angles at the convention: it is inviting independent exhibitors with grievances to bring them to the meeting, and it will seek to obtain for independent exhibitor members as large a share in the personnel and operation of the code as possible.

Specifically, the association will interest itself in clearance problems in the area, according to Cassil. H. M. Richey, RKO director of exhibitor relations, will address the convention. Cassil conferred with him and with other distributors last week in New York on the clearance situation.

## *Trailer-Made in Payment*

Trailer-Made, Inc., and Isadore Schwartz have paid $3,000 to National Screen Service Corp. for attorneys' fees, according to a stipulation filed in the U. S. District Court. Payment was made as partial compliance with a consent decree obtained in National Screen-Trailer-Made litigation.

## *Sunday Show Trial Set*

THOMASVILLE, Ga., April 23.—May 29 has been set as the date for trial of the Sunday show case against Interstate Enterprises. The case has been postponed several times because of illness of attorneys.

## *Illinois Duals Bill In*

CHICAGO, April 23.—The judiciary committee of the Illinois House of Representatives has recommended by a vote of 11 to 4 to report favorably the measure to abolish double features in this state.

# Pact Approval Must Wait on Arbitration Is Kuykendall View

Complete indorsement of the proposed trade practice program should be withheld by exhibitor organizations until such time as an arbitration procedure has been made definite and final, Ed Kuykendall, M.P.T.O.A. president, said prior to leaving New York over the weekend.

Kuykendall conferred with William F. Rodgers and Sidney R. Kent, of the distributors' negotiating committee, while here. Presumably, his inquiries were concerned in the main with distributors' aims in connection with the arbitration proposals.

The M.P.T.O.A. head reiterated his personal view that no exhibitor could afford to reject the benefits offered by the trade program without, at least, a fair trial, but added that exhibitor organizations would do well to wait until the program is completed before giving any final acceptance.

Kuykendall goes to his home at Columbus, Miss., and will attend the convention of the Kansas-Missouri T. O. A. in Kansas City, May 23 and 24.

## *Republic to Stress Latin America Field*

CHICAGO, April 23.—Republic will devote more of its sales and production efforts to the South American markets, it was disclosed at the final session of the two-day regional sales meeting Friday. H. J. Yates and James R. Grainger emphasized the importance of Latin American markets and said that Republic is now in a position to give more attention to foreign fields than ever before.

In addition to making more stories of interest to Spanish speaking countries, Republic will make six to eight Spanish language films, it was said. John Balaban and William Hollander of Balaban & Katz spoke briefly, complimenting Republic on "Man of Conquest."

Yates, Grainger and Al Adams, director of advertising and publicity, returned to New York over the weekend. The San Francisco regional meeting, originally set for April 25-26, has been set back to May 5-6.

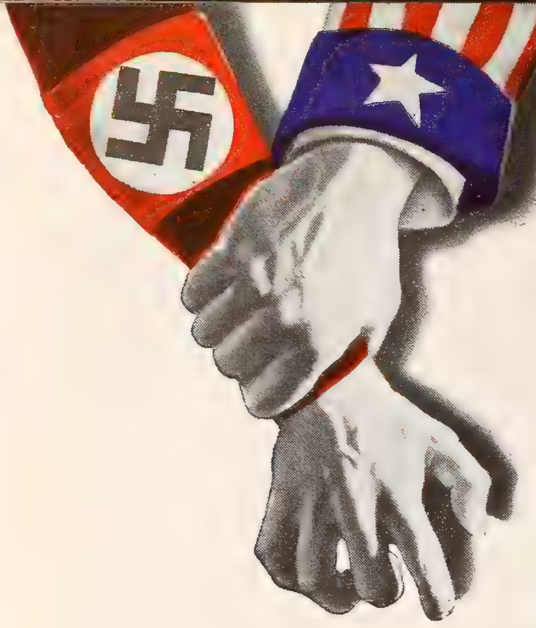
## *3 Sentenced to Jail In Bank Night Fraud*

JANESVILLE, WIS., April 23.—Howard Johnson, assistant manager of the Jeffris here; Agnes Gerek and Theodore Lesky were sentenced by Municipal Judge Ernest Agnew to a year in the County Jail on charges of obtaining money under false pretenses in a $500 Bank Night fraud at the theatre.

On condition that the trio makes restitution, Johnson's sentence then was reduced to 45 days and that of the other two to five days each.

## *Ban on 2 Films Upheld*

ALBANY, April 23.—N. Y. State Board of Regents has upheld the state censor ban on "Ecstasy" and "Sunset Murder Case," after reviewing the two pictures. The appeal on "Ecstasy" was taken by Eureka Productions, Inc., and that on "Sunset Murder Case" by Grand National. Both pictures were termed "objectionable."



# MAY 6th

# Is the day to honor your American theatre with the picture every American is waiting to cheer!

*Prepare NOW for the Uncamouflaged*

# Confessions of a NAZI SPY

*The Star:*

**EDW. G. ROBINSON**

*The Supporting Cast:*
**FRANCIS LEDERER**
**George Sanders · Paul Lukas · Henry O'Neill**
**Directed by**
**ANATOLE LITVAK**
Screen Play by Milton Krims & John Wexley
Based on materials gathered by Leon G. Turrou, ace G-Man • A First Nat'l Picture

**WARNER BROS.**
**will pre-release it to the**
**N. Y. STRAND**
**APRIL 28th**
**Watch! Watch! WATCH!**

# Hope of Peace in IATSE Row Wanes; Dues Strike Called

(*Continued from page* 1)

I.A.T.S.E. representative, on being informed of dues strike threat said "best answer to threatened dues strike is that dues are coming in very satisfactorily and we find no indication of anything but solid support for international's stand, outside of few exceptions."

Meanwhile, officers of Local 37 said they had received a promise from Assistant U. S. Attorney General Thurman Arnold over the weekend that an investigator would be assigned to look into charges of collusion between producers and I.A.T.S.E. leaders.

In a statement referring to the conferences over settlement of the struggle for control of the local, Nylander said, "Because of the apparent failure of the contending parties to reach a settlement in the negotiations that have been carried on outside our offices over matters that do not rightfully belong before the N.L.R.B. it was impossible for them to reach an agreement or settlement on matters pending before the board. No time has been set for further N.L.R.B. hearings."

Gatelee subsequently issued a statement in which he described the situation as a "complete breakdown" of the settlement negotiations which, he charged, "was caused deliberately by Kibre when he introduced the idea of a 90-day cooling period before producers would be required to designate and deal with an employes' bargaining agent or agents. If this were to go into effect the employes would be at the complete mercy of the producers."

The "I. A. from now on will recommend that various Hollywood locals seek their own agreements with producers and the I.A.T.S.E. will stand by and assist them in every way possible at their request." He charged that Kibre did not want peace.

## *Canadian Committee Approves Film Board*

OTTAWA, April 23.—Senate Banking and Commerce Committee has approved a bill to set up a national film board for Canada. The board, under the direction of a commissioner will coordinate activities of departments which use motion pictures.

J. G. Parmelee, Deputy Minister of Trade and Commerce, and Captain Frank C. Badgley, director of the Government's motion Picture Bureau, explained the measure to the committee. It now stands for the third reading in the Senate.

## *Museum Gets 13 Tons Of Fairbanks Films*

**Douglas Fairbanks, Sr., has donated his film library to the Museum of Modern Art Film Library. The gift, comprising 2,700,000 feet of celluloid, weighing 13 tons, is the largest group of films the library has received. Included is "The Lamb," Fairbanks' first picture, produced under the direction of D. W. Griffith.**

## *WPA Revue Opens At Adelphi Tonight*

**A WPA Federal Theatre Project revue, "Sing For Your Supper," opens tonight at the Adelphi. The revue was directed by Harold Hecht, with production number staged by H. Gordon Graham. Robert Sour was assistant producer. A cast of 125 includes Carl Chapin, Virginia Bolen, Eddie Fuller, Coby Ruskin and Hansford Wilson.**

# S. D. Cocalis Is Dead; Headed Circuit Here

Soteros D. Cocalis, 52, died Saturday morning of an abdominal ailment in Mt. Sinai Hospital. Cocalis, known to most of his friends as Sam, was a prominent exhibitor in the metropolitan area for 22 years. Previously, he had been in the real estate business.

At the time of his death, Cocalis was interested in 38 houses in New York and vicinity. After the death of his partner, Jack W. Springer, the firm name was changed from Springer & Cocalis to Cocalis Enterprises but the circuit and the partnership with the Springer estate remained intact. Funeral arrangements will be made today. He was survived by his widow and seven children.

## *Lack of Funds May Slow Up Trust Drive*

(*Continued from page* 1)

New York suit would have no bearing on its possible inquiry.

Officials pointed out that the committee is seeking to complete its investigations by the end of the current year. The film inquiry will not be undertaken for several months at the earliest. If the trial is held next fall it might be impossible for the committee to wait and still complete its investigation within the period set.

In any event, it was explained the New York trial will not settle the suit, which probably will be appealed to the supreme court, if no consent decree is entered, so that legislation still might be desirable.

It was indicated that committee investigators who have been studying the situation believe a full inquiry should be conducted, and dissatisfied elements in the industry given an opportunity to present their complaints.

### See Bill Rushed Here

Indications that the Government is rushing preparation of its bill of particulars in the anti-trust suit against the major companies was seen Friday, when Seymour Kreiger, special assistant, asked for additional copies of the United Artists' demand for details.

The request came after the examination of Charles Stern, U.A. eastern district sales manager. When queried as to the reason for the request, Kreiger explained that most of the staff had been assigned to the task and that there were not sufficient copies to go around.

Stern and Edward Mullin were examined by Kreiger in a continuation of the pre-trial examination of U.A. The questioning was directed principally as to how clearances were established in different cities and how first runs were determined. Situations involved in previous anti-trust suits and in localities where the Government had received specific complaints were made the basis for most of the questions. Clearance of Loew's Century over the Patio, Brooklyn, also was made the basis of inquiry. Harry Gold, eastern sales manager, will be called as a witness April 26.

# Meeting at Frisco Ends 'U' Regionals

SAN FRANCISCO, April 23.—Details of Universal's new season production schedule of 44 features, and the westerns, serials and shorts, were given to the Far Western sales force by W. A. Scully, vice-president and general sales manager, at today's session of the three-day regional sales meeting at the St. Francis Hotel here.

Scully, accompanied by W. J. Heineman, western sales manager; Thomas Murray and James Jordan of the home office, arrived here from Chicago early yesterday by United Airlines' plane in time to start the final regional here on schedule. The Chicago meeting closed late Thursday.

J. Cheever Cowdin, Universal board chairman, also is representing the home office at the meeting here. Vacationing on the coast, Cowdin came here from Los Angeles with Cliff Work, production head; Matthew J. Fox, vice-president, and John Joseph, advertising and publicity director. Nate J. Blumberg, president, represented the home office at the Cincinnati and Chicago meetings, with other company officials.

Members of the Denver, Los Angeles, Portland, Salt Lake City and local branches are represented at the session here, which will close on Monday.

## *Paine-Erpi Opinion Is Expected Today*

Federal Judge John C. Knox will file an opinion today finally determining protracted litigation brought by John G. Paine, as assignee of some 100 music publishing houses, against Erpi for $211,743 royalties, and determination of the validity of licensing contracts, it was reliably learned on Saturday.

Argument on questions of law was held before Judge Knox on Friday. The suit centers about the interpretation of licensing contracts made in 1927 and 1929 governing the songs recorded in sound tracks used with motion pictures exported for foreign trade.

## *306 Wins Action*

Suit of James J. Little and Milton Olshin, operators, for $5,000 damages and an injunction against Local 306 of the operators union, was dismissed on Friday by N. Y. Supreme Court Justice Isidor Wasservogel. Plaintiffs contended that the union had wrongfully denied them membership.

## *B. & K. Hearing Ordered*

CHICAGO, April 23.—Federal Judge Woodward has approved an order for a hearing in the case of Government against B. & K. and the majors before Master in Chancery Edgar Eldredge.

# Ticket Code Upheld; Decision Hailed by Equity, N. Y. League

Broadway's legitimate stage ticket code forbidding excessive price advances by brokers and requiring box-offices to keep a fixed percentage of tickets for sale at the theatre was u[illegible]held in a 24-page opinion by Refe[illegible] Morris Cooper, Jr., Friday. The opinion will go to N. Y. Supreme Court Justice Samuel H. Hofstadter for approval shortly.

Officials of the League of N. Y. Theatres and Actors' Equity, who promulgated the code and were charged with monopoly in restraint of trade by Acme Ticket Agency, hailed the decision. Referee Cooper's report cleared both organizations on the alleged monopoly and boycott charges. "On the contrary, it would seem that the effect is to prevent a monopoly by the plaintiffs (Acme) of the best seats in the theatre. The effect of the Code seems to me clearly to be for the benefit of the theatrical industry as a whole, and of the public." Referee Cooper held that "members of an industry are entitled to cooperate for the purpose of correcting abuses."

James F. Reilly, executive secretary of the League, declared that rigid enforcement of the code would start immediately and that members would withdraw all tickets from brokers who exceeded the 50 and 75 cent limit on price advances. Reilly stated that World Fair visitors would be informed of the code regulations and that the decision would assure that they would not be "mulcted." Milton R. Weinberger, League counsel, called the decision a "concrete example of self-government in the industry." He pointed out that efforts to abolish the evils of ticket speculation by legislation had been unsuccessful because the courts had ruled the laws unconstitutional.

## *Variety Club Parley To Draw Hundreds*

(*Continued from page* 1)

fes will bring 15 from Minneapolis, Fifty are expected from Cleveland and 20 from Columbus.

H. M. Richey, director of exhibitor relations for RKO, has lined up the New York delegation, which will leave Thursday night. Among those expected from New York are Nate Blumberg, Neil F. Agnew, Jules Levy, Ed McEvoy, Tom Connors, Ed Saunders, Ted O'Shea, Jack Alicoate, Dave Palfreyman, Chick Lewis, Ed Kuykendall, George W. Weeks, Max A. Cohen, Charles Reagan and W. C. Gehring.

Announcement will be made of the sponsorship by Detroit Tent No. 5, headed by C. C. Perry, of a Detroit "Boys Town." A building is being purchased, and the Club will stage a midnight benefit show at which it expects to raise $8,000. Father Harold Markey of Trinity Church will direct the home, where underprivileged and homeless youths will receive education and training.

J. E. Flynn is general chairman of the convention. The general committee includes E. C. Beatty, William Carlson, E. E. Kirchner, F. J. Downey, David Idzal, George W. Trendle, C. C. Perry, H. M. Richey, David Newman, C. H. Merritt, Harold C. Robinson, Earl Hudson and Elmer Kiehler.

# Get in the BLACK with "MIDNIGHT"

**53 key city theatres have already proved Paramount's All-Star comedy hit one of the top money makers of the year!**

## "MIDNIGHT" OPENS BIG!

Reports show "Midnight" gets that big opening day business. New York Paramount's opening day's gross, for instance, was biggest in six months.

## "MIDNIGHT" SUSTAINS!

3 solid weeks at Aldine Theatre, Philadelphia, with 4th week at Carlton; 3 solid weeks to terrific gross at New York Paramount.

## "MIDNIGHT" MAKES MONEY—*Everywhere!*

Oklahoma City, Buffalo, Scranton, Wilkes-Barre, Rochester, Poughkeepsie, Brooklyn, Hartford, Memphis, Davenport, Phoenix, Chattanooga...We mention only a few geographically distant spots where "Midnight" has clicked or is now clicking to show you "Midnight" will do business, and top business wherever played.

**Claudette Colbert • Don Ameche**
in **"MIDNIGHT"** with
**John Barrymore • Francis Lederer • Mary Astor**
A Paramount Picture • Directed by Mitchell Leisen • Screen Play by Charles Brackett and Billy Wilder • Based on a story by Edwin Justus Mayer and Franz Schulz

**Just One of Paramount's**
**BIG 15**
**for Spring and Summer**

## U. S. Plan for Radio Station Held Needless

By JACK BANNER

There is no need for a Government-operated and controlled short-wave broadcasting station, it would appear from statistics provided MOTION PICTURE DAILY by the international divisions of NBC and CBS, which indicate that those networks are short-waving to Latin and Central America more than twice as many weekly program hours as Germany and Italy combined.

The figures have been provided as a result of a story printed in these columns to the effect efforts are being revived in Washington to promote legislation permitting the construction of a government station.

### Figures by Country

In unmixed Spanish and Portuguese, the languages of the population of South America, the NBC figures for the various countries' broadcasts are as follows:

NBC—56 hours
Germany—10½ hours
Italy—3½ hours
Japan—1 hour
England—3½ hours
France—3½ hours.

All of those outside of NBC add up to a total of 22 hours a week, less than half as much as NBC is doing. In news broadcasts, NBC is doing 10½ hours a week, exactly twice what Germany is doing. Aside from Germany, no other country is doing more than 3½ hours a week in the languages of Latin America.

### Audience Mail Increases

The network, incidentally, has recorded a 20-fold increase in audience mail from foreign countries in the 10 months during which its short-wave stations have been operating with a power of 25,000 watts, and a fixed language program pattern.

In May, 1939, when the system was inaugurated, NBC received only 157 pieces of mail in response to its short-wave programs. In March of this year, 3,425 letters were received from 82 countries, protectorates and colonies.

The CBS weekly program figures for its two short-wave stations are as follows: Over W2XE to Europe, 53 hours, to South America, 39½ hours. Over W3XAU to Europe, 30¼ hours, to South America, 46½ hours, an overall total of 83 hours to Europe, 86 hours to South America. Its stations short-wave four hours of Spanish news programs weekly, Portuguese news, 1 hour 15 minutes. Programs exclusively Spanish are aired 14 hours weekly, exclusively Portuguese, 1 hour. Shortly the network will add 45 minutes of French news, and like periods for news in German and Italian.

## WHN Holds Benchley

With the switch of Bob Benchley's Old Gold program to NBC from CBS, WHN, which also airs the broadcast, will remain as one of the New York outlets.

## ▸ *Radio Personals* ◂

ELLIOTT ROOSEVELT, head of the Texas State Network, returns to the Lone Star state today after a week here. . . . John Garfield is being considered as a replacement for Bob Hope on the latter's series for the summer. . . . Lincoln Dellar, general manager of WBT, Charlotte, due in town today. . . . Columnist Hy Gardner is auditioning a program at WHN. . . . Sammy Kaye winds up at the Hotel Commodore Wednesday. . . . Louis Sagi Vela, Argentine baritone, has been signed to a year's contract by WOR.

## *Allied Asks Para. to Change Meeting Date*

MINNEAPOLIS, April 23.—Allied States has requested Paramount to designate another date on which to hold the company's annual national sales meeting, which was set last week for June 12-14 in Los Angeles. The date coincides with that chosen by Allied some time ago for its annual national convention, which will be held here, June 13-15.

Request was made by W. A. Steffes, Allied's convention chairman, to Neil F. Agnew, Paramount distribution chief. Agnew is now on a sales tour in the Pacific Northwest and could not be reached for comment.

## *Sunday Show Bill Is Vetoed in Delaware*

DOVER, Del., April 23.—Gov. McMullen has vetoed the measure providing for Sunday shows. Senator Rinard, its sponsor, said the bill would be restored to the calendar. The measure would legalize shows on Sunday after 2 P. M. in cities over 25,000 population and provides for a referendum.

The Governor's veto message decalred he doubted the constitutionality of the referendum provision. Wilmington is the only city affected under the population provision.

## *Javal En Route Here To Set Up Television*

LONDON, April 23.—Ian Javal, commercial director of Baird Television Co., sailed yesterday on the *Aquitania* for New York, with technicians and equipment.

He indicated before departing that he plans early demonstrations in New York of the Baird large screen television, and declared negotiations are progressing to stage a special theatre program through an existing American network. He is expected to remain in New York about two months.

## *Foster Gets Yankee Net Promotion Post*

BOSTON, April 23.—Frank P. Foster, formerly associated with National Radio Advertising and more recently with Hearst Radio, has been appointed sales promotion manager of both the Yankee and Colonial networks.

Appointment is effective immediately, with Carlton McVarish, former sales promotion director, becoming head of the department of merchandising and market research.

## 20th-Fox to Expand In Latin America

(*Continued from page* 1)

another to be produced by Jack Skirball. These will be made in Hollywood. Their release is planned in Spain as well.

Kent will study the Latin American market when in Rio de Janeiro to attend the company's South American convention in June, and will attend a second meeting in Trinidad. He will confer with sales representatives and exhibitors.

"It has taken a succession of costly international upheavals in Europe and elsewhere to make America realize the unlimited possibilities of greater business relationship with our Latin American neighbors. This company, for one, means to do all that it can to increase this relationship between our two countries.

"In the past few years there seems to have been an increasing demand in South America for Spanish language pictures. We have already taken plans to meet this demand, but if business is such that a more elaborate Spanish picture production schedule is in order, then this company will proceed, in the interests of sincerity and good business, to make more Spanish pictures.

"At the coming conventions, it is my purpose to detail a map of activity and expansion in South America. We want to play a full part in the further development of the industry in South America and to play it on a truly co-operative basis."

## *U. S. Pictures Still Popular in Germany*

(*Continued from page* 1)

Century-Fox together obtained first run showings for 20 films at leading Berlin theatres last year, with M-G-M leading. Imports are restricted to a percentage of the domestic output, which totaled about 100 films last year. Each country is given a quota.

Nelle produced six musicals for UFA and Tobis and returned here last week on expiration of his contract. He reports living conditions in Germany are unbearable, and he does not intend to return there. He produced stage presentations at one time for Roxy and the Fox circuit. He is negotiating for a Hollywood post.

"The German studios have the finest mechanical equipment obtainable, but they don't know how to use it properly," he says. "The industry lost many of its best directors and technicians because of the racial laws, and the new crop is untrained. No new ideas are being developed. Camera work and lighting are particularly deficient, and the writers and cutter lack knowledge of their trade.

### Building Film Institute

"A film institute being built at the UFA studio is expected to provide the necessary training. Before the Nazi regime, the Americans used to learn from the Germans. Now the situation is reversed, and the German directors and technicians get their ideas from Hollywood."

A number of other factors work against good production, says Nelle. The men in charge of the studios know little about making pictures and constantly drive for rigid economy, which is a national necessity. The Government is in control of the industry and labor works under strict regulations, which leads to bickering with the management. A major problem is the la of "pep" and prevalent illness due improper food. Vast reservoirs of fo are being stored for war emergency

Because of the tense situation, lig musicals and comedies are much demand. French comedies are popula A number of American stars are well known in Germany as they a here, according to Nelle. The fir runs play Greta Garbo reissues.

With currency export blocked, t French companies are beginning produce in Germany in order to a sorb the accumulated collections. T German companies have the san problem in Hungary and other cou tries. Nelle made a film for UFA Budapest for this reason.

## S.M.P.E. Puts Off Television Report To Fall Conventio

HOLLYWOOD, April 16.—Declari that "some time will probably pass b fore production and reproduction tec nic of television will reach a stage stability such as to permit a determin tion of standards of production Television Committee of the S of M. P. Engineers reported that "specific result" had come from i work to date.

The committee stated that it wou give only scientific and technical da in its reports to avoid "undue or u justified concern" to the film industr After a period of regular televising the N. Y. World Fair, the committe hoped to be in a position to report the fall convention.

### Papers Read at Session

The spring convention ended Frida after a studio practice session and television session. Papers read we "A New Magnetic Recorder and I Adaptations," by S. J. Begun, Brus Development Co.; "Western Electr Microphones for Sound Recording," F. L. Hopper, Erpi; "A Cardioid D rectional Microphone," by R. N. Ma shall and W. R. Harry, Bell Telepho Laboratories; and "A Lightweig Sound Recording System," by Ho per, E. C. Manderfeld and R. R. Sc ville, Erpi.

Papers on television were "An I troduction to Television Production by H. R. Lubcke, Don Lee Broadcas ing Co.; "Application of M. P. Fil to Television," by E. W. Engstro and G. L. Beers, RCA Manufactu ing; "Continuous Type Film Scann for Television," by P. T. Goldmar CBS; "Television Studio Technic by A. W. Protzman, NBC; "Tel vision Lighting," by William C. Edd NBC; and "Design Problems in Tel vision Systems and Receivers," by B. Dumont, Dumont Laboratories.

A. N. Goldsmith, chairman of t Television Committee announced t formation of two sub-committees. B. Hanson will head the sub-commi tee on Production and Reproducti Technic and O. Sandvik is chairm of sub-committee on Film Properti and Laboratory Practice.

## *Radio Bill Vote Seen*

ALBANY, April 23.—Passage of t Coudert measure, which would fr radio broadcasters from legal acti on truthful news description, is e pected in the Senate this week. T measure has been passed by the A sembly.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 45. NO. 79 NEW YORK, TUESDAY, APRIL 25, 1939 TEN CENTS

# Paine Upheld In Erpi Claim For $170,000

### *Denied Additional $40,000 On Pre-1929 Royalties*

Right of John G. Paine, as assignee and representative of some 100 music publishing houses, to recover approximately $170,000 from Erpi in royalties due on musical compositions recorded for sound track use with motion pictures and exported in foreign trade, was upheld yesterday by Federal Judge John C. Knox in a 13-page opinion. At the same time Judge Knox threw out a claim for approximately $40,000 which Paine had asserted for royalties on pictures exported before 1929.

The suit, filed in 1936, sought judicial interpretation of two licensing agreements made in 1927 and 1929 authorizing the use of compositions for exported motion pictures. Paine contended that under the agreement, Erpi was to pay royalties on exported pictures regardless of whether the music houses held copyrights in the countries where the films were exhibited.

Judge Knox, in sustaining Paine's contention, pointed out that music

*(Continued on page 6)*

## Equity to Get Brady Sunday Show Appeal

William A. Brady, legitimate stage producer, will make a personal appeal to the Actors' Equity council today in an effort to win their approval for Sunday shows. With the vote at the Stagehands' Union, Local 1, Sunday flatly rejecting the proposal, it is not regarded as likely that equity will make any concessions.

The stagehands took the position that Sunday is an extra day and demanded extra wages. They refused to accept the offer of the League of N. Y. Theatres, which asked them to work Sundays in exchange for a day off during the week.

Equity, at its last quarterly meeting, voted to take a referendum of its membership to decide whether to work Sundays and waive the double compensation required by Equity rules. However, a proviso was added demanding that all unions involved make similar waivers. The referendum has been held up awaiting the action of other unions. In view of the stagehands' vote, the council is not empowered to submit the referendum.

### *Shots Didn't Sever Andy's Marital Ties*

**Andy Brown of Amos 'n' Andy, started to get married in his opening broadcast on CBS the other week, but the marriage ceremonies came to an end when some pistol shots rang out and Andy moaned "I'se shot! I'se shot."**

**Since then a controversy has raged in the press on the question of whether Andy is, or isn't married.**

**Yesterday CBS engaged Samuel Liebowitz, the famed criminal lawyer, for an opinion. He said Andy is legally married.**

## Mexico to Aid U.S. Films, Says Rueda, Here for "Juarez"

Mexican Government is prepared to extend cooperation to American producers who wish to make films in Mexico, but limits financial assistance to domestic studios, according to Quintin Rueda, chief of the Mexican Government's official press bureau.

Rueda arrived here yesterday by plane to represent President Cardenas at the premiere of "Juarez" at the Hollywood tonight. He is accompanied by Pablo Prida, a great grandson of Benito Juarez. Prida operates the Rex in Mexico City and advised on the film's production.

Rueda said that Spanish language films made at American studios are not as acceptable in Mexico as the domestic product, and generally are regarded as inferior. Quality is the criterion, and so far only a few films

*(Continued on page 6)*

# STUDIO UNIONS ASK FOR 30-HOUR WEEK

### *Six-Hour Day, Five-Day Week, Guarantee of 40 Weeks Demanded*

HOLLYWOOD, April 24. — Seven studio unions today drafted demands for a six-hour day and five-day week, vacations with pay and guarantee of forty weeks' work annually to be presented to producers on behalf of their estimated 15,000 members. Taking part in the conference at which a preliminary draft of the propositions was made were Al Speede, business agent of Electricians Local 40, I.B.E.W., which is in the studio labor basic agreement; William Castle, Carpenters Local 946; Lou C. Helm, Studio Utility Employes Local 724; D. T. Wayne, Machinists Lodge 1185; Ben Martinez, Plasterers Local 755; Herbert Sorrell, Moving Picture Painters Local 644 and Guy H. Cooper, recording secretary of Studio Technicians Local 37, I.A.T.S.E.

While the conference was going on, Local 37 officers headed by Joseph W. Carpenter today asked Towne Nylander, regional N.L.R.B. director, to set a date for hearing on complaint of Jeff Kibre, local minority leader. Nylander's reply was to send the entire case files to the national board in Washington for action.

Failure of the negotiations for peace between Local 37 and International was the indication today when it was disclosed that more than 1,000 pledges of Local 37 members to engage in a dues strike were received. Opponents will appear tomorrow morning.

The locals will present their demands to Pat Casey, producer-labor contact man, when he arrives sometime this week.

## Allied Forming New Unit in California, Arizona and Nevada

LOS ANGELES, April 24.—Allied States Association of Motion Picture Exhibitors has stepped into California, Arizona and Nevada territory for the first time and is organizing exhibitors in opposition to the established Independent Theatre Owners of Southern California and Arizona, headed by Albert A. Galston.

Officers of the new Allied group are Seth Perkins, president; Jules Wolf, vice-president; Fred Hershorn, treasurer; James C. Quinn, executive secretary, and L. L. Bard and B. J. Leavitt, directors.

**Los Angeles Headquarters**

Headquarters are in Los Angeles, quarters formerly occupied by a recently started exhibitor group, American Federation of Theatre Operators, of which Quinn was executive secretary.

Letters of invitation to the membership have been sent to all independent theatre owners in the area.

The former Quinn group campaigned against the I.T.O.'s inauguration of a policy of arbitration of independent-affiliated exhibitor disputes, started at the suggestion of Charles Skouras, Fox West Coast head.

## *325 of 571 Bills Affecting Industry Are Still Pending*

There have been 571 bills affecting the industry introduced in state legislatures throughout the country since Jan. 1, it was revealed by a checkup completed yesterday.

Bills were introduced in 46 states which have held regular legislative sessions to date and included everything from tax measures and Sunday closing laws to affiliated theatre divorce measures and anti-block booking bills.

Of the 46 legislatures which convened this year 25 have completed their sessions and adjourned. The remaining 21 have pending before them a total of about 325 bills affecting the industry. Most of these are in a few of the larger states, such as California, New York, Massachusetts and Pennsylvania. of the 246 bills which were before the 25 legislatures which have adjourned already, some were enacted and others failed of passage.

No state has enacted a censorship, affiliated theatre divorce, real tax or admission tax measure during the

*(Continued on page 6)*

### *U. S. to File Bill in Trust Suit Tomorrow*

**The Government will file its bill of particulars tomorrow in its anti-trust suit against the eight majors, it was learned from reliable sources yesterday. The bill of particulars has already been prepared in Washington and will be brought to the U. S. District Court by either Special Assistant Attorney General Seymour Krieger or Robert L. Wright, it is understood.**

## "The Mother" Opens Tonight at Lyceum

**"The Mother," an adaptation by Paul Selver and Miles Malleson of Karl Capek's play, opens tonight at the Lyceum. It is a story of a mother whose husband and five sons die during her lifetime. It opened in London last month. Malleson directed and Victor Payne-Jennings produced. In the cast are Nazimova, Reginald Bach, Montgomery Clift, Stephen Ker Appleby, Tom Palmer and others.**

## Surprises Slated for Variety Convention

DETROIT, April 24.—Chairman and the various committees of the national Variety Clubs convention to be held here next Thursday to Saturday, inclusive, have completed plans for a series of "surprise features" for the annual banquet Saturday night.

Among those scheduled to appear in the floor show which will terminate the banquet are George Jessel, Ethel Shutta, Lloyd Nolan and George Raft. The committee on talent expects acceptances from several others.

The general program of the convention will be as follows: Thursday, 1 P. M., meeting of national officers; Friday, 10 A. M., opening session of general convention for all delegates, officers and guests; Saturday, 10 A. M., closing session, election of national officers for 1940, and selection of 1,940 convention city; 6:30 P. M., banquet; Sunday, visits to points of interest in and around Detroit by delegates and guests.

## 'U' Closes Regional Sales Meets on Coast

SAN FRANCISCO, April 24.—Universal's third and final regional sales meeting closed tonight after a three-day session at the St. Francis Hotel attended by J. Cheever Cowdin, chairman of the board, and a number of studio executives.

Among the latter were Cliff Work, Matthew J. Fox, Milton Feld, Dan Kelly, John Joseph, David Lipton, Joe Pasternak, Harry Edington and Walter Lantz. Presiding at the meeting were W. A. Scully, general sales manager; William Heineman, western sales manager, and Al O'Keefe, west coast district manager. Also in attendance from the home office were James Jordan and Tom Murray.

## Legion Approves All Of Nine New Pictures

National Legion of Decency this week approved all of the nine new pictures reviewed and classified, three for general patronage and six for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Frontier Pony Express," "The Kid from Texas," "Zenobia." Class A-2, Unobjectionable for Adults: "First Offenders," "Hotel Imperial," "Inspector Hornleigh," "Lady's from Kentucky," "Man of Conquest," "Sweepstake Winner."

# ◂ Purely Personal ▸

WILLIAM F. RODGERS, BARNEY BALABAN, JOHN W. HICKS, CHARLES E. McCARTHY, JOHN RINZLER, TOM CONNORS, ED SAUNDERS, SYDNEY PHILLIPS, MARTIN PECK, MAX COHEN, MORRIS KINZLER, BOB WOLFF and TED O'SHEA lunched in Nick's Hunting Room at the Astor yesterday.

•

ARTHUR WILLI, chief casting director for RKO, was in Washington yesterday on the "Gateway to Hollywood" talent quest, and will go from there to Atlanta.

•

ALICE FAYE left yesterday for White Sulphur Springs, W. Va., accompanied by her husband, TONY MARTIN, after a week's vacation in New York.

•

RODNEY BUSH, 20th Century-Fox exploitation manager, left last night for Springfield, Ill., to arrange for the premiere of "Young Mr. Lincoln."

•

DAVID BUTLER and WILLIAM COUNSELMAN, Universal director and writer, respectively, are in New York for brief home office conferences.

•

VINCENT TROTTA, Paramount art director, will get back to his desk at the home office tomorrow after a short business trip to Cleveland.

•

J. J. UNGER, and HARRY GOLDSTEIN, Paramount division managers, are on a visit to Cleveland, Cincinnati and Pittsburgh exchanges.

•

IRVING LANDIS, formerly with G.B., has been appointed New Jersey salesman for Monogram.

•

FRANK C. WALKER, Comerford Circuit head, has returned to New York from an extended trip through the Far West.

W. C. GEHRING, 20th Century-Fox central division manager, and J. P. O'LOGHLIN, Canadian district head, leave tonight for Toronto in connection with circuit deals.

•

S. CHARLES EINFELD, Warner advertising and publicity head, leaves Friday for the coast, after launching "Dodge City," "Dark Victory," "Confessions of a Nazi Spy" and "Juarez."

•

A. W. HACKEL, president of Supreme Pictures of Hollywood, and MRS. HACKEL arrive today from the coast on the *City of Norfolk*.

•

PIETRO RICCI has resigned as general manager of Amerital Film Importing and Distributing Corp. THERESA BADALATI is manager.

•

IRVING C. JACOCKS, JR., of the Branford Theatre, New Haven, has returned from a motor trip to New Orleans.

•

BUD GETSCHAL has been given a temporary, special assignment with Lou Lifton's Monogram publicity staff.

•

SAM COHEN of U. A.'s publicity department leaves Sunday for the coast in advance of the company's convention.

•

L. W. CONROW, president of Altec, has returned to New York after a two-week business trip in the south.

•

JOHN B. FINDLAY, Westerly, R. I., exhibitor, has returned from a Bermuda cruise.

•

MR. and MRS. WILLIAM BRANDT will return Friday from a Havana vacation.

## 'Pacific' Pressbook Out

Paramount has just issued a triple-barreled 13 x 15-inch press portfolio on "Union Pacific," containing a 32-page promotion book, a 12-page publicity book and an eight-page double size advertising book. Outstanding feature is the tieup with 20 national advertisers who are doing most of the promotion work themselves, with free space to the exhibitor to be had for the asking.

## Name Henderson to SEC

Leon Henderson, nominated yesterday by President Roosevelt to be a member of the Securities and Exchange Commission, was known to the industry during the NRA days when he headed the division of research and planning. He is secretary of the Temporary National Economic Committee, which is investigating monopolies.

## Alexander Film Moves

Alexander Film Co. moved yesterday to 630 Ninth Ave. Alexander Prevue Co., new trailer firm, will also be established there.

## Selznick Office Moves

Selznick International yesterday moved its offices to Room 3453, International Building, Rockefeller Center.

## Winners Sail May 3

Ray Bell, Publicity head of Loew theatres in Washington, and Ted Kirkmeyer, manager of the Marlow, Helena, Mont., sail May 3 on the *Normandie* as guests of M-G-M. They were awarded the trip for winning exploitation campaigns on "Marie Antoinette." Kirkmeyer is alternate for Frank Weatherford, Worth Theatre, Ft. Worth, who is unable to make the trip. Four winners in an essay writing contest will sail as guests of the company at the same time.

## A. Schimel a Father

A daughter, Jane, was born to Mrs. Adolph Schimel, wife of the Universal home office attorney, at Lenox Hill Hospital, on Saturday. Mother and child are in good health.

## Pathe Meeting Today

Annual meeting of stockholders of Pathe Film Corp. will be held at the company's offices today at 2 P.M. Election of officers and routine business is on the agenda.

## Altec Closes 2 Deals

Neighborhood Theatres, Inc., of Richmond, with 21 houses, and the Rome circuit, Baltimore, with 14, have signed for Altec service.

## Latin America Will Hear About 'Juarez'

**Warners will reach an audience it particularly desires for "Juarez"—Latin America—through a tieup just made with CBS. The network will broadcast a special one-hour program tonight to Latin America from the lobby of the Hollywood Theatre. W3XAU will carry the program.**

## Funeral of Cocalis Will Be Held Today

Funeral services for Soteros D. Cocalis, prominent New York exhibitor who died Saturday at the Mt. Sinai Hospital, will be held at 2 P. M. today at Hellenic Eastern Orthodox Church of New York, 319 East 74th St. Interment will be at Mt. Olivet Cemetery.

Offices of the Cocalis Circuit will be closed after 12 noon today. The Royal, Elizabeth, N. J., which was the first house Cocalis acquired, 22 years ago, will be closed during the matinee.

## NBC Consultant Will Be Speaker at Ampa

Dr. J. S. List, consulting psychologist of NBC, will address the Ampa's luncheon meeting Thursday at the Astor on "The Psychology of Motion Picture Advertising." Dr. List is national chairman for radio and film research for the Clergy League of America and holds other official positions. A program of entertainment is being arranged.

The newly elected board of governors is formulating a program of activity for Ampa during the coming year.

## J. H. Gallagher Resigns

Joseph H. Gallagher resigned yesterday as general manager of Associated Publications, publisher of *Boxoffice*. He started with the publication eight years ago as advertising manager, a post he held until a year ago. He will not be replaced immediately, and his plans are indefinite.

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# Mason of Columbia Says War Scare Has Hit Australia Trade

International war scare has acutely affected business in Australia for some time past and may continue as long as European tension persists, Cecil Mason, Columbia's Australian manager, said yesterday. Mason arrived in New York over the weekend from the coast for his periodic visit to the home office.

Mason said that a spread of the restrictive film legislation enacted by New South Wales to other Australian states was feared generally in the trade, although no new measures had been introduced up to the time of his departure and New Zealand recently approved the creation of an eight-man trade board of control for the film industry.

Mason plans to attend the Columbia annual sales convention opening in Atlantic City May 8 and will spend a month on the coast before returning to Australia.

# Studios Busy on 38 New Pictures

Hollywood, April 24.—Thirty-eight pictures were before the cameras this week, seven more than last week's total, as 14 started and seven finished. Twenty-six are being prepared and 66 are being edited.

Those started were: "The Man from Sundown," Columbia; "Across the Plains," Monogram; "Ruler of the Seas," "Disputed Passage," Paramount; "Memory of Love," "Career," RKO; "Daredevils of the Red Circle, "Mountain Rhythm," Republic; "Charlie Chan at Treasure Island," "The Rains Came," "The Grand Canyon," 20th Century-Fox; "Winter Carnival," Wanger; "Dust Be My Destiny," "The Hobby Family," Warners.

In addition to these, shooting are: "Good Girls Go to Paris, Too," "Mr. Smith Goes to Washington," "Golden Boy," Columbia; "Music School," Goldwyn; "On Borrowed Time," "Maisie Was a Lady," "Andy Hardy Gets Spring Fever," M-G-M; "Geronimo," "Million Dollar Legs," "The Cat and the Canary," "Heaven on a Shoestring," "The Star Maker," Paramount; "Little Mother," "Five Came Back," "The Dove," RKO; "Tidal Wave," Republic; "Gone with the Wind," Selznick; "The Man in the Iron Mask," Small; "Second Fiddle," "East Side, West Side," 20th Century-Fox; "The Sun Never Sets," "Old Grad," Universal; "The Old Maid," "Lighthorse Harry," Warners.

Finished were: "Down the Wyoming Trail," Monogram; "What a Life," "Lawful Outlaws," Paramount; "All the Tomorrows," Republic; "Young Mr. Lincoln," "It Could Happen to You," 20th Century-Fox; "Give Me a Child," Warners.

M-G-M is shooting two short subjects, and RKO one. Five are being prepared and 15 edited.

## Union Election Set

Stagehands' Union, Local 1, will hold its annual election of officers May 14. Nominations close Saturday.

# Hollywood Preview

## "Calling Dr. Kildare"

(M-G-M)

Hollywood, April 24.—"Calling Dr. Kildare," second in the series, follows the entertainment pattern of the first, "Young Dr. Kildare." Sometimes comic, as the name character and the testy old specialist who loves but hazes his youthful protege squabble, sometimes quasi-melodramatic, and here and there containing romantic love interest situations, the picture, which is always full of human interest, features the regular cast members, Lew Ayres, Lionel Barrymore, Nat Pendleton, Samuel S. Hinds, Lynne Carver, Emma Dunn and Walter Kingsford. The outstanding recruits are Laraine Day, Lana Turner and Bobs Watson.

Relations between him and Ayres reach such a stage that Barrymore has to do something drastic about it. Fired as the diagnostician's aide, Ayres is assigned to a neighborhood clinic with a nurse, Miss Day, whose job it is to spy on him. Ayres gets into his first difficulty when he treats a boy for a bullet wound and fails to report it. His troubles are complicated when he becomes involved in a fiery romantic affair with Lana Turner. Ayres' arrest on an accessory-after-the-fact murder charge is a development Barrymore had not anticipated. But even though the young doctor turns detective for a moment to ferret out the real killer, it takes all Barrymore's "pull" and shrewdness to get him out of the mess that menaces the reputation of the medical institution and to disillusion his pupil as to Miss Turner.

While a Max Brand story is used this time, Harry Ruskin and Willis Goldbeck again are the screenplay writers and Harold S. Bucquet repeats the expert directing job of "Young Dr. Kildare," which elevated him to prominence.

Running time, 86 minutes. "G."* G. McC.

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*"G" denotes general classification.

# Easter Week Grosses for 154 Houses at $1,639,300

Total of major city theatre grosses for Easter Week, ending April 13-14, aggregated $1,639,300, a gain of $356,200 over the total for Holy Week, ending April 6-7, when $1,283,100 was reported, according to Motion Picture Daily's box-office tabulation. The more recent week's total was accounted for by 154 theatres, while the previous week's figure was from 151 houses.

The following tabulation shows the week-by-week aggregate of first run theatres in key cities from Feb. 8-9 to April 13-14, with the number of theatres reporting each week.

| | No. Theatres | Gross |
|---|---|---|
| Sept. 8- 9 | 138 | $1,572,099 |
| Sept. 15-16 | 137 | 1,407,481 |
| Sept. 22-23 | 138 | 1,382,059 |
| Sept. 29-30 | 137 | 1,398,438 |
| Oct. 6- 7 | 137 | 1,519,793 |
| Oct. 13-14 | 138 | 1,429,288 |
| Oct. 20-21 | 138 | 1,430,924 |
| Oct. 27-28 | 140 | 1,394,023 |
| Nov. 3- 4 | 142 | 1,353,407 |
| Nov. 10-11 | 141 | 1,386,939 |
| Nov. 17-18 | 143 | 1,323,918 |
| Nov. 24-25 | 141 | 1,283,153 |
| Dec. 1- 2 | 142 | 1,461,730 |
| Dec. 8- 9 | 140 | 1,275,136 |
| Dec. 15-16 | 134 | 1,159,371 |
| Dec. 22-23 | 139 | 1,041,911 |
| Dec. 29-30 | 150 | 1,562,044 |
| Jan. 5- 6, 1939 | 151 | 1,829,822 |
| Jan. 12-13 | 145 | 1,372,400 |
| Jan. 19-20 | 146 | 1,368,322 |
| Jan. 26-27 | 145 | 1,345,715 |
| Feb. 2- 3 | 147 | 1,469,400 |
| Feb. 9-10 | 147 | 1,494,600 |
| Feb. 16-17 | 146 | 1,393,100 |
| Feb. 23-24 | 147 | 1,417,700 |
| March 2- 3 | 146 | 1,400,000 |
| March 9-10 | 147 | 1,352,050 |
| March 16-17 | 155 | 1,366,800 |
| March 23-24 | 154 | 1,439,600 |
| March 30-31 | 151 | 1,322,225 |
| April 6- 7 | 151 | 1,283,100 |
| April 13-14 | 154 | 1,639,300 |

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# 'Wuthering' Big $16,000 Philadelphia

Philadelphia, April 24.—Outstanding success in an otherwise disappointing week was "Wuthering Heights" which grossed $16,000 at the Aldine.

At the Fox the combination of Chick Webb band and Ella Fitzgerald on the stage and "Society Lawyer" on the screen, did $21,000. "Alexander Graham Bell" took $11,000 at the Boyd.

Estimated takings for the week ending April 21:

**"Wuthering Heights" (U. A.)**
ALDINE -(1,300) (32c-42c-57c) 7½ days. Gross: $16,000. (Average, 7 days, $8,160)

**"I'm From Missouri" (Para.)**
ARCADIA—(600) (25c-42c-57c) 7 days, 2nd run. Gross: $850. (Average, 7 days, $2,800)

**"Story of Alexander Graham Bell" (20th-Fox)**
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $11,000. (Average, $14,000)

**"Can't Cheat An Honest Man" (Univ.)**
EARLE—(2,000) (26c-32c-42c) 7 days, 3rd run. Gross: $6,000. (Average, $8,000)

**"Society Lawyer" (M-G-M)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days (6 days stage); Stage; Chick Webb, Orchestra, Ella Fitzgerald. Gross: $21,000. (Average, $14,000)

**"Midnight" (Para.)**
KARLTON—(1,000) (26c-42c-57c) 7 days, 2nd run. Gross: $4,800. (Average, $4,000)

**"Broadway Serenade" (M-G-M)**
KEITH'S—(2,000) (32c-42c-57c) 7 days, 2nd run. Gross: $3,400. (Average, $4,000)

**"Within the Law" (M-G-M)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $4,500. (Average, $4,500)

**"Dodge City" (W. B.)**
STANLEY—(3,700) (32c-42c-57c) 7 days, 2nd week. Gross: $13,000. (Average, $14,000)

**"Women in the Wind" (W. B.)**
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $3,800. (Average, $7,000)

## 'Dodge City' Clears $9,300, Providence

Providence, April 24.—"Wuthering Heights," dualed with "The Kid from Texas" at Loew's State, garnered a nice $12,000, and the gross at the Majestic, with "Dodge City" and "Chasing Danger," was a strong $9,300. At the other houses business was only fair.

Estimated takings for the week ending April 19-20:

**"Dodge City" (W. B.)**
**"Chasing Danger" (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $9,300. (Average, $7,000)

**"Wuthering Heights" (U. A.)**
**"The Kid From Texas" (M-G-M)**
LOEW'S STATE—(3,239) (25c-35c-50c) 7 days. Gross: $12,000. (Average, $11,000)

**"Never Say Die" (Para.)**
**"Bulldog Drummond's Secret Police" (Para.)**
STRAND—(2,100) (25c-35c-50c) 5 days. Gross: $3,800. (Seven-day average, $6,000)

**"Pirates of the Skies" (Univ.)**
FAY'S—(1,800) (25c-35c-40c). Vaudeville. Gross: $6,500. (Average, $6,500)

**"Love Affair" (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c). With Disney revue. Second week. Gross: $4,500. (Average, $6,000)

**"The Little Princess" (20th-Fox)**
**"Winner Take All" (20th-Fox)**
CARLTON—(1,526) (25c-35c-50c) 7 days. Extended first-run. Gross: $3,200. (Average, $3,500)

## Dismiss Bank Night Suit

Estherville, Ia., April 24.—Suit against the Central States Theatre Corp., brought by Ralph Rousseau to collect a $500 Bank Night award, has been dismissed here by Judge Fred Hudson. Rousseau's name was called for an award but he was too late to receive it, under the theatre's rules.

To

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Music by Erich Wolfgang Korngold

**JACK L. WARNER**
*In Charge of Production*

**HAL B. WALLIS**
*Executive Producer*

**HENRY W. BLANKE**
*Associate Producer*

*ght*

# TS MIGHT!

*Warner Bros.' World Premiere*
at the
Hollywood *Theatre,* N.Y.
Twice Daily Thereafter at $2 Top

# DAVIS in "JUAREZ"

# 571 Bills Affecting Industry Have Been Considered in 1939

(*Continued from page* 1)

current year's sessions. The Colorado and Oklahoma legislatures may adjourn this week. Texas, Pennsylvania, Ohio, Michigan and Missouri are expected to adjourn during May. California, New Hampshire and South Carolina will probably adjourn during June. The following states have no limit imposed on the length of their legislative sessions: Illinois, Iowa, Maine, Massachusetts, New York, New Jersey and Wisconsin. Special sessions are contemplated in Georgia and Idaho and Alabama, which ended a special session March 31, will convene in regular session July 18.

### Important Bills Passed

Some of the more important measures which have been enacted this year to date follow:

Arkansas—Sunday shows legalized.

Kansas—Sales tokens eliminated (favorable to exhibitors).

Maine—Sunday shows from 3 P. M. to 11 P. M. authorized.

Maryland—Sunday shows permitted in Wicomico Co.

Nebraska—Anti-marathon measure enacted.

North Carolina—Sunday closing laws repealed for several counties. Imposition of $5 amusement tax on all entertainments with admissions over 25 cents. Pari-mutuel betting legalized on dog racing in two counties.

North Dakota—Created licensing authority to pass on building new theatres in towns where one or more shows are operating. (Constitutionality questioned.)

Tennessee—Sunday shows may be legalized by majority vote of localities instead of a four-fifths vote.

Vermont—Sunday shows authorized after 8 P. M.

## *Beverly Hills to See 'Spy'*

Beverly Hills, April 24.—Warners' "Confessions of a Nazi Spy" will be shown for one performance only at the Beverly Hills here on Thursday night. The theatre will charge a $2 top for the preview.

## *Marshall Is Bankrupt*

Everett Marshall, actor, opera and radio star, has filed a petition in bankruptcy in the U. S. District Court and listed $28,318 in liabilities and no assets. $17,783 of debts listed, according to the petition, is owed by Marshall to his wife, Carolina.

## *Leonard K. Brin Dies*

Seattle, April 24.—Leonard K. Brin, 55, owner of the Mission in Mount Vernon, was struck by a car here Friday night and died shortly afterward. He is survived by a widow, son and daughter.

## *'Challenge' Here May 6*

"The Challenge" (Film Alliance) which had its American premiere Friday at the Translux, Boston, will be held over for a second week there. It will open in New York at the Globe May 6.

# Paine Is Upheld in $170,000 Erpi Claim

(*Continued from page* 1)

publishers could have effectively prevented recording of the compositions in the United States, and that the "suggestion that the defendant, as to these recordings, was to have a free gift of property rights of great value, is simply repellant to the ideas upon which business is transacted."

### Licensing Held Valuable

Moreover, Judge Knox stated, the licensing of compositions, although no foreign copyright was held by the plaintiff, was of value to Erpi.

"The foreign agreement effectively foreclosed the plaintiff from raising any question as to the defendant's right to use the compositions in foreign lands," Judge Knox held. "Had it not been for the agreement, defendant would have been put to the necessity of determining the exact copyright status of a multitude of musical compositions which it wished promptly to use and the use of which, in the absence of agreement, might possibly subject it to consequences of a serious nature," the court said.

### Erpi Wins Point

As for compositions used in films exported before 1929, Judge Knox sustained Erpi and ruled that it would not be compelled to pay at a higher rate than provided in the 1929 agreement. Judge Knox overruled a claim of the plaintiff that Erpi was to pay 100 per cent royalties for pictures exhibited in more than one foreign country, rather than a reduced percentage provided for exhibition in a single country. Exact amount due to Paine under the agreements for royalties will be determined under the decision in an accounting hearing to be held later.

Trial of the suit took place in June of last year. Columbia, M-G-M, 20th Century-Fox, United Artists and Universal had intervened in the suit as defendants.

## *Night Ball Competes*

Seattle, April 24.—Night baseball has begun here and is already making an impression on theatre boxoffices. Attendance totals from 5,000 to 10,000 nightly at the ball games, with the Seattle team in second place in the Pacific Coast League standings. All games are broadcast this season over KJR.

## *Rites for Block Today*

Funeral services were held yesterday for Arthur Block, co-producer of "The Cantor's Son" and treasurer of the Windsor Theatre in Manhattan. He died Sunday morning. A brother, Jesse Block, of the comedy team, Block and Sully, is among the survivors.

## *Montreal Theatre Robbed*

Montreal, April 24.—While 1,500 persons watched "The Lady Vanishes" at the Imperial last night two bandits beat Howard Knevels, manager, in his office and forced him to open the safe from which they stole $1,200.

## *RKO Signs Massey*

Raymond Massey has been signed by RKO to star in the film version of "Abe Lincoln in Illinois," in which he is now playing on Broadway.

## *Her Prayer Answered*

**Paducah, April 24.—"I got what I wanted," said Barbara Williams, 23, and blonde, when a jury here sentenced her to 10 years for attempted holdup of two women in a theatre lounge with a toy pistol.**

## *Industry to Protest Wis. Footage Tax Bill*

Milwaukee, April 24.—Exhibitors and exchange men will present an organized protest against the state assembly bill to place a tax of $2.50 per 1,000 feet on film sold or leased for public exhibition in Wisconsin.

This bill would become effective July 1, and the proceeds used for old-age assistance. Distributors would be required to make quarterly reports to the secretary of state as to the number of feet of film sold and include their tax payments with this report.

Violators would be subject to fines ranging from $100 to $1,000 and from one to six months' imprisonment.

## *Mooresville Houses Closed by Smallpox*

Mooresville, Ind., April 24.—Churches and theatres have been closed, and all public gatherings banned by Dr. C. H. White, county health officer, who has placed the entire population of 2,000 under quarantine because of a smallpox epidemic.

### Meriden Ban Stays

Meriden, Conn., April 24.—The theatre quarantine for children under 15 years of age, resulting from the scarlet fever epidemic, has been extended indefinitely.

## *Sell Peter Clark Name*

Peter Clark, Inc., designers and manufacturers of theatre stage equipment, who installed the equipment in the Music Hall and other houses, has sold its name, goodwill and patents to the Lamson Co., in order to permit the estate of Peter Clark to retire from active management of the company. A new company has been formed to carry on the business.

## *New Protest on 'Bell'*

Toronto, April 23.—The Business Men's Association of Peterborough has joined in the protest of Brantford against the showing of "The Story of Alexander Graham Bell" unless it gives credit to the latter town as the birthplace of the telephone.

## *Reject Sunday Pictures*

Humboldt, Tenn., April 20.—Local City Council has voted down the proposal for Sunday films in this town. The action was taken on a citizens' petition to permit the showings, which met opposition from the Humboldt Pastors' Association.

## *Burns Lee Returns*

Burns Lee, who left the New York office of Benton and Bowles last year to assist in production of the M-G-M and Jack Haley radio programs in Hollywood, has returned to New York and will remain here permanently. He will take charge of radio publicity.

# Mexico to Aid U.S. Films, Says Rueda Here for 'Juarez'

(*Continued from page* 1)

in the Spanish language have measured up to high standards, he declared. Two or three Spanish film made in Germany have been of [illegible]perior grade, he said.

As head of the Government information service, Rueda has produced about 25 short-length cultural and documentary films in the last two years. They deal with the work of state departments and social services and are intended to "sell" Mexico at home and abroad. Films to promote tourist travel are also made. Some of in English and French versions for world release.

The Mexican Government requires the showing of a film of cultural or educational nature at each performance. American films of this type are well received.

Prida's theatre is the Warner first run outlet in Mexico City. Prida said that French films are popular in Mexico City and that his theatre shows about 20 a year. German films are not popular.

Rueda praised Warners for the production of "Juarez," and said the idea is "magnificent." The interest the film will create "will perhaps be translated in a desire on the part of the Mexican producers to make picture dealing with American historical characters," he declared.

These representatives will be joined at the premiere tonight by officials of the Mexican embassy in Washington, as well as diplomatic representatives of many other Latin American nations and New York social leaders. Josephus Daniels, United States ambassador to Mexico, and the Turkish ambassador are scheduled to attend.

## *Brings Grey's New Book*

Stephen Slesinger, publisher's representative, leaves the coast today for New York with Zane Grey's new manuscript based on the life of George Washington. The manuscript had been sent from Australia where Grey has been on a fishing expedition. His son, Romer Grey, conferred with Slesinger on the coast regarding publication and submission to film companies.

## *To Interview Rooney*

Oscar A. Doob, Loew circuit publicity head, and Howard Strickling of the M-G-M studio have arranged for Mickey Rooney to be interviewed by telephone from the studio by high school reporters in Cleveland, Springfield, Bridgeport, Hartford, Washington and Kansas City.

## *Back Rogers Drive*

Cleveland, April 24.—Will Rogers Hospital Memorial Drive has practically 100 per cent support of northern Ohio theatre owners, Frank Drew, chairman, reports.

## *Circularizing Begins*

Members of the American Federation of Bookkeepers, Stenographers & Accountants Union, Local 20940, started to circularize all office employes of home offices and exchanges yesterday in preparation for a meeting at the Manhattan Center Friday evening.

# 'Wuthering' Hits $16,400 For Chicago

CHICAGO, April 24.—Intense rain cold couldn't keep "Wuthering ghts" from scoring a good $16,-0 at the United Artists, nor did it em to hurt "Dodge City" in its sec-nd week at the Chicago, where the icture grossed a strong $34,600. Business elsewhere in the Loop was fair, ncluding the Palace, where "The tory of Vernon and Irene Castle" k $18,200.

The weather was bad the entire eek and hurt business generally.

Estimated takings for the week ending April 19-22:

**Grand Illusion" (World)**
APOLLO—(1,400) (35c-55c-75c) 7 days, nd week. Gross: $6,400. (Average, $6,500)
**Dodge City" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days, nd week. Stage: Orrin Tucker & Band. ross: $34,600. (Average, $32,000)
**Prison Without Bars" (U.A.)**
ARRICK—(900) (35c-40c-65c) 7 days, n l week. Gross: $4,500. (Average, $6,500)
**Lady and the Mob" (Col.)**
**Family Next Door" (Univ.)**
RIENTAL (3,400) (25c-35c-40c) 7 days tage: Vaudeville Revue. Gross: $13,200. verage, $13,000)
**'The Story of Vernon & Irene Castle" (RKO)**
ALACE (2,500) (35c-55c-75c) 7 days, nd week. Stage: Vaudeville Revue. Gross: 00. (Average, $19,000)
**"Sergeant Madden" (M-G-M)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 ays. Gross: $10,300. (Average, $11,000)
**"St. Louis Blues" (Para.)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 ays. Stage: Vaudeville Revue. Gross: $13,-00. (Average, $12,000)
**'Wuthering Heights" (U. A.)**
NITED ARTISTS—(1,700) (35c-55c-75c) days. Gross: $16,400. (Average, $15,000)

## 'Castles' Leads in New Haven at $9,000

NEW HAVEN, April 24.—Loew-Poli, with "The Story of Vernon and Irene Castle" and "Twelve Crowded Hours," took $9,000.

The College did $3,700 with "Hound of the Baskervilles" and "Inside Story." "Dodge City" and "Women n the Wind," completing the second half of a 14½-day run at the Roger Sherman, took $4,700.

Estimated takings for the week ending April 21:

**'The Hound of the Baskervilles" (20th-Fox)**
**"Inside Story" (20th-Fox)**
COLLEGE—(1,499) (25c-35c) 7 days. Gross: $3,700. (Average, $2,700)
**"The Story of Vernon and Irene Castle" (RKO)**
**"Twelve Crowded Hours" (RKO)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $9,000. (Average, $8,000)
**"Three Smart Girls Grow Up" (Univ.)**
**"Last Warning" (Univ.)**
PARAMOUNT—(2,348) (35c-50c) 6 days. 2nd week. Gross: $3,000. (Average, $4,000)
**"Dodge City" (W. B.)**
**"Women in the Wind" (W. B.)**
ROGER SHERMAN—(2,200) (35c-50c) 7 days. 2nd week. Gross: $4,700. (Average, 700)

## Chicago Salesman Dies

CHICAGO, April 24.—Stephen Montgomery, 55, veteran exhibitor and film salesman, died suddenly Friday afternoon in the Capitol Film offices.

## Preview Fair Picture

New York World's Fair picture for Macfadden Publications, "I'll Tell the World," produced by Herbert Crooker, will be previewed at the Fair grounds tomorrow.

# New York Reviews

## "Street of Missing Men"

*(Republic)*

Combining the elements of a gangster story with a newspaper yarn, "Street of Missing Men" is a good program melodrama which should hold audience interest throughout. With public attention focused on municipal clean up campaigns, it should be easy to sell at the box-office. This is a story of a convicted racketeer who returns after a jail term to seek vengeance.

The plot concerns itself only with the melodramatic theme—there is no romantic slant to divert the attention or relieve the genuine tenseness which is created by the unrelenting hatred of Charles Bickford, as the racket king who returns after a five-year term at Alcatraz. He visits Harry Carey, whose editorials resulted in the conviction, but when Carey refuses to squirm Bickford decides to kill the editor by destroying his newspaper from the inside.

He becomes circulation manager, supposedly to prevent raids by a gang led by Ralph Graves, but actually he makes a secret alliance with the gang. Young Tommy Ryan, as one of the newsboys, succeeds in effecting Bickford's reform.

Tommy gives an appealing performance. Guinn Williams provides some comedy. Armand Schaefer produced and Sidney Salkow directed. Frank Dolan and Leonard Lee wrote the screenplay from an original story idea by Eleanor Griffin and William Rankin.

Running time, 65 minutes. "G."*

ED GREIF

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*"G" denotes general classification.*

## "Heroes of the Marne"

*(Variety Films)*

An obvious story and a number of stolid performances by some of the players fail to shadow the excellency of "Heroes of the Marne," chiefly because of the superb acting of the star, Raimu, and a cameraman, not identified, who in innumerable farm scenes achieves effects that seem to have been placed upon the screen by brush and palette.

A story of the World War, stocked with explosive scenes, it is ironic that the film should derive its chief merit from its rural background. The battle scenes, compared to Hollywood standards, lack realism, but when the camera settles upon the picturesque French farm terrain, and records the frugal, dawn-to-dusk labors of the French peasants, the film reaches a height of beauty and art.

As is inevitable in French pictures, the story deals with an illicit romance which results in the birth of an illegitimate child. The young people are prevented from marrying by the enmity of their families, farmland neighbors, and by the World War, when the young man is called to the colors. The girl becomes a heroine when she brings valuable military secrets to the French army, and the young man becomes a French war ace and is killed at teh eve of the Armistice. The boy's father, Raimu, blinded in the war, finally realizes his error, and the story ends on a happy note when one of his other sons marries the girl.

Running time, 85 minutes. "A."*

JACK BANNER

*"A" denotes adult classification.*

## 'Stagecoach' at $9,100 for Omaha

OMAHA, April 24. — "Stagecoach" was strong here with a $9,100 gross at the Omaha. The picture was dualed with "Pardon Our Nerve."

The dual at the Orpheum, "Wife, Husband and Friend" and "Topper Takes a Trip," pulled $9,000. "The Story of Vernon and Irene Castle" held up well in its second week at the Brandeis, with $4,000.

Estimated takings for the week ending April 19-20:

**"The Story of Vernon and Irene Castle" (RKO)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
**"Stagecoach" (U. A.)**
**"Pardon Our Nerve" (20th-Fox)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $9,100. (Average, $6,000)
**"Wife, Husband and Friend" (20th-Fox)**
**"Topper Takes a Trip" (U. A.)**
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $9,000. (Average, $7,600)

## Woman Operator Slain

DALLAS, April 24.—Dr. L. J. Montague, noted Texas surgeon, has been charged with the murder of his wife, owner of two motion picture theatres.

# 'Oklahoma' Is $12,300 Lead In Twin Cities

MINNEAPOLIS, April 24.—Combination of "The Oklahoma Kid" and "Mikado in Swing" led the field with a gross of $12,300 at the Orpheum. "Three Smart Girls Grow Up" did a splendid $8,200 at the Century.

In St. Paul, the best grosser was "Yes, My Darling Daughter," which took $5,000 at the Orpheum.

Estimated takings for the week ending April 20:

**"King of Chinatown" (Para.)**
**"Beauty for the Asking" (RKO)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,400. (Average, $1,500)
**"Three Smart Girls Grow Up" (Univ.)**
CENTURY—(1,600) (25c-40c) 7 days. Gross: $8,200. (Average, $4,000)
**"Never Say Die" (Para.)**
GOPHER — (990) (25c) 7 days. $2,400. (Average, $2,500)
**"Oklahoma Kid" (W. B.)**
ORPHEUM—(2,900) (35c-55c) 7 days with "Mikado in Swing" on the stage. Gross: $12,300. (Average, $4,800)
**"Broadway Serenade" (M-G-M)**
STATE—(2,300) (25c-40c) 6 days. Gross: $4,100. (Average, $4,400)
**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-55c) 7 days, 7th week. Gross: $1,200. (Average, $1,400)

**ST. PAUL:**

**"Yes, My Darling Daughter" (W. B.)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $5,000. (Average, $3,200)
**"Broadway Serenade" (M-G-M)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $3,300. (Average, $4,000)
**"Fast and Loose" (M-G-M)**
RIVIERA—(1,000) (25c) 7 days. Gross: $2,500. (Average, $1,800)
**"Pirates of the Skies" (Univ.)**
**"Blondie Meets the Boss" (Col.)**
**"Boy Trouble" (Para.)**
**"Whispering Enemies" (Col.)**
TOWER—(1,000) (25c). Dual bills split week. Gross: $2,000. (Average, $1,500)
**"Pygmalion" (M-G-M)**
WORLD—(400) (25c-35c) 5 days, 4th week. Gross: $300. (Average, $700)

## Bank Night Raid on Two Wis. Theatres

MILWAUKEE, April 24.—The Rivoli and Hollywood theatres at La Crosse were objects of Bank Night raids over the weekend. The raids were made on complaint of Judge Robert S. Cowie, who charged, as a citizen, that Bank Night constitutes a public nuisance. The Rivoli continued Bank Night despite proceedings but the equipment at the Hollywood was confiscated. Both theatre companies have appealed a decision denying demurrers to Cowie to the State Supreme Court.

It's got what it takes—for bigger "takes"!
New RCA PHOTOPHONE
MAGIC VOICE OF THE SCREEN
with Rotary Stabilizer PLUS SHOCK PROOF DRIVE!
PHOTOPHONE RCA HIGH FIDELITY SOUND
Designed for any theatre — regardless of size

## NBC Gives Telecast For AP Convention

Members of the Associated Press, now gathered in New York for the annual business meeting, yesterday witnessed a television program especially presented in their behalf by NBC. The program was televised in the film and live talent studios in Radio City and was received both in the offices of the Associated Press building and the Waldorf Astoria, where the AP convention is being held.

Operations of the AP were shown. A story was followed as it came from the AP wires from Europe, how it is handled at the various desks in the city room of the press association, and to the teletype machines that dispatch it to papers throughout the country. Program also included the sending of a wire photo.

De Witt McKenzie, AP expert on foreign affairs, gave a running commentary on motion pictures extracted from newsreels, depicting the background of current European events.

## *Radio Liquor Ad Ban Favored by Senators*

WASHINGTON, April 24.—The Senate Committee on Interstate Commerce has ordered a favorable report on the Johnson bill to ban beer and liquor advertising on the air.

Previously, a three-man subcommittee made up of Senators Johnson, Andrews and Gurney had reported favorably on the bill over the protests of the N. A. S., the A. F. of L. and others. These organizations contended enactment of the bill would constitute an extremely dangerous precedent.

A decline in the amount of hard liquor advertising is indicated for this year by returns to an N. A. B. questionnaire.

The N. A. B. believes the matter is one which the broadcasters themselves can handle and that passage of the bill might give the legislators an excuse for intervention in later and more threatening radio problems.

### *ANPA on Mutual*

Mutual tonight will air a special broadcast of interviews with editors and publishers, here for the A.N.P.A. convention. Program will be handled by Dave Driscoll, and the speakers will include J. V. Connolly, general manager of Hearst newspapers; Eugene Mayer of the *Washington Post,* F. E. Murphy, publisher of the *Minneapolis Tribune;* E. P. Hoyt, *Portland Oregonian;* Bob Wolfe, *Columbus Dispatch,* and James North of the *Fort Worth Star-Telegram.*

### *Lux Gets Leslie Howard*

Leslie Howard has been engaged by Lux "Radio Theatre" to produce the programs in the temporary absence of Cecil B. DeMille, who has left to program the tour with his new picture, 'Union Pacific." Howard's program duties are to start May 1.

### *Ford Hour from Fair*

Broadcasts of the Ford "Sunday Evening Hour," usually heard over CBS from Detroit, will come from the Ford exhibit building on the World's Fair grounds, following the Fair's opening.

## *Radio Personals*

CHARLES E. GREEN, president of Consolidated Radio Artists, to Chicago for a one-week business stay. . . . William T. Welch, president of WSAR, Boston, and Mrs. Welch, return today from a South American cruise. . . . Bret Morrison celebrates a birthday May 5. . . . Joe Pierson of the Chicago office of Press Wireless Association, is in New York. . . . W. E. MacFarlane and E. M. Antrim, Mutual network officials of Chicago, will come to New York late this week for conferences at the home office here. . . . Charles Rinker has joined Leo Feist, Inc., where he will be in charge of radio exploitation.

✚

## *Columbus Dispatch to Test Facsimile Paper*

COLUMBUS, April 24.—Columbus *Dispatch* shortly will inaugurate a "newspaper of the air," when it begins issuing a radio edition, a complete paper of the usual number of pages, 8½ by 12, to be transmitted by facsimile through the facilities of WBNS, Columbia affiliate.

Facsimile receiving sets are being installed in 14 strategic business locations in scattered sections of the city, including two banks and the lobby of the *Dispatch* building, where the public will be invited to witness the receiving operations.

### *Thompson Rites Held*

L. Gordon Thompson, who died on the west coast last week, was buried yesterday from his home at Old Greenwich, Conn. Thompson was producer of the Rudy Vallee program. J. Walter Thompson officials who attended the funeral included Stanley Resor, president; John Reber and Sam Meek, vice-presidents; A. K. Spencer, assistant to Reber; Cal Swanson, Lux accountant executive; Robert Simon, music editor; Linnea Nelson, time buyer; William Day, head of production, and Tom Luckenbill of the radio department.

## *FCC Calendar*

WASHNGTON, April. 24.—Federal Communications Commission has made public its schedule of hearings on broadcast matters for the current week, as follows:

April 25: Applications of Enrique Abarca Sanfeliz and United Theatres, Inc., for a new 580-kilocycle, 1,000-watt station at San Juan, P. R.

April 26: Application of KSAM, Huntsville, Tex., for increase of power from 100 to 250 watts.

April 27: Application of KTBS, Shreveport, La., for change of frequency from 1,450 to 620 kilocycles and increase of day power from 1,000 to 5,000 watts.

April 28: Applications of Coastal Broadcasting Co. for a 1,500-kilocycle station at Brunswick, Ga., with 100 watts night, 250 watts day, and WOC, Davenport, Ia., for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

### *British Government May Control Radio*

**London, April 24.—A measure of Government control over non-entertainment programs, especially news bulletins broadcast by British Broadcasting Corp. is foreshadowed, although unofficial reports to that effect have been denied officially.**

**The *Daily Mail* reports that such control will become effective on June 7. The Government charter granted to BBC permit control in cases of emergency.**

## CBS Deal to Buy World Collapses

Proposed purchase of the World Broadcasting System by CBS, instituted some months ago, has fallen through, primarily because CBS was unable to come to terms with Erpi on sound recording licenses.

With the collapse of the negotiations, CBS has announced that it will enter the electrical transcription business through the American Record Corp., recently acquired.

CBS is planning immediate installation of studio and recording and processing equipment at the American Record Corp. headquarters and will add to the recording of Columbia, Brunswick and Vocalion records, a complete transcription and general recording service. Announcement of plans and policies of the extended American Record Corp. will be made shortly.

## *Clearance Action In Cleveland Is Settled*

CLEVELAND, April 24.—An amicable settlement of the injunction action brought by Paul Gusdanovic, operating the La Salle Theatre, to restrain Fox Vitagraph from serving the newly opened Shore Theatre with either prior or day and date runs on the ground of contract violation was effected today in the office of Common Pleas Judge Lee E. Skeel.

Price adjustment for La Salle with a guarantee of day and date availability to both La Salle and Shore was involved in the settlement.

## *Milwaukee Council Again Bars Clock Bill*

MILWAUKEE, April 24.—The common council judiciary committee which has been considering the Kalupa proposal to compel exhibitors to install illuminated clocks in their auditoriums, has again tabled the measure.

At the most recent hearing on the proposal, several aldermen appeared with exhibitor representatives in opposition to the measure. Alderman Kalupa contended that clocks would warn children of the time to go home.

### *Republic Buys Story*

HOLLYWOOD, April 24.—Republic has purchased an original, "Abraham Lincoln Boggs," contemporary story of a small town lawyer, and signed Edward Ellis for the title role. The picture will have a minimum budget of $400,000, according to the studio.

## Ontario Group Pla
## Study of Clearan

TORONTO, April 24.—A study of
clearance situation in Canada is to
taken up by the Independent Theat
Association of Ontario with a view
obtaining reforms, according to N.
Taylor, vice-president of the assoc
tion and director of 20th Century
atres.

"A campaign for such reforms
in order," Taylor said. "I sho
like to see clearance as we now h
it either abolished or moderated
that it bears some semblance to
purpose for which it was conceive

Taylor declared he was just
much concerned with unfair prior
practices as he was with excess
protection, saying that some theat
enjoyed rights over others wh
were located so far apart that th
was no basis for competitive consid
ation. The decision of the associat
as a whole would govern the nat
of the campaign for clearance revisi

## *Pa. Bank Night Ro*
## *Goes to High Cou*

MEADVILLE, Pa., April 24.—Det
mined to "settle once and for
whether Bank Night is a lottery, D
trict Attorney James A. Mook
appealed to the state supreme cour
recent county court decision grant
a permanent injunction against int
ference with the game at the P
Theatre here.

Park Theatre Corp. has obtained
injunction to prevent Mook, all
officers and the owner of a rival t
atre from seizing its records and B
Night equipment or arresting its e
ployes. Mook said the question
never been carried to the state's app
late court.

### Waterbury Giveaway Starts

WATERBURY, Conn., April 24
Loew's will inaugurate "Hollyw
Party with a $100 giveaway in
prizes at the Loew-Poli on Thurs
night as a regular weekly featu
The Lido Theatre management
recently hailed into City Court on
score that "Hollywood Party" was
lottery, but was later discharged
the game cleared.

### *Orders Examination*

N. Y. Supreme Court Justice Alf
Frankenthaler has ordered Irving B
lin, Inc., to appear for examinat
before trial in the $250,000 damage
of Modest Altschuler against W
Disney Productions, Ltd., Walt D
ney Enterprises, Inc., RKO Ra
Pictures, Inc., Irving Berlin, Inc.,
Frank Churchill. Suit charges pla
arism of plaintiff's "Russian Soldi
Song" by "Whistle While You Wor
a song in "Snow White and the Se
Dwarfs."

### *Lourau Quiz Ordered*

Georges Lourau, president of Fil
Sonores Tobis, Societe Anony
plaintiff in a suit against Char
Chaplin, Charles Chaplin Film Co
and United Artists Corp., was orde
to appear for examination before t
on June 9 by Federal Judge Alfred
Coxe. Plaintiff seeks an injuncti
accounting and damages, chargi
plagiarism of the film "A Nous
Liberte," in "Modern Times."

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## nternational lay Ban Coast Hours Parleys

### ocals Not Empowered to Negotiate, View Here

oast meetings to negotiate new ge and hour contracts between dio locals and producing companies y be forbidden by international adquarters of the unions involved, was indicated in labor quarters re yesterday.

Demands of seven studio locals for 30-hour week, vacation pay and a -week annual employment guarantee, ached in Hollywood on Monday, regarded as matters for negotia- n by officers of the several inter- tionals, rather than the heads of the als, it was stated here. This atti- le is particularly plain within the ernationals which are signatories of e five-year basic agreement with the dios, such as the I. B. E. W. and e Carpenters and Joiners.

**Meeting Date Not Set**

No date for a negotiating meeting ecting the basic agreement or the dio locals has been set, it was stated th emphasis here.

Pat Casey, producers' labor repre- ntative, may leave for the coast at e end of the week, although his plans

(Continued on page 6)

## ,500 at Rites Here or Soteros Cocalis

Funeral rites for Soteros D. Co- lis, New York circuit head, were ld at Hellenic Eastern Orthodox urch yesterday. Fifteen hundred re in attendance. Officiating at the gh Mass was Archbishop Athena- ras. After the services, the body s interred in the family plot in Mt. ivet cemetery.

Many prominent in Greek-American ic affairs were present. Among se of the industry present were: n Manheimer, Sam Lefkowitz, les Levy, Jack Hattem, Max lder, Ed Collins, Jack Sokoloff, onroe Stein, Max Solomon, Dave einstein, Joe Sussman, Moe San- rs, Eddie Bell, Dave Sohmer, George eeks, Abraham Kindler, William ntisiero, Harry Fischman, Nick tta, Spyros Skouras, Leon Rosen- att, Julius Singer, Jack Bowen, ck Ellis, William F. Rodgers, Tom onnors, Ed McAvoy, Max Cohen, ilt Kusell, Ben Knobel, Joe Katz,

(Continued on page 6)

### *Assembly to Act on Operator Bill Today*

**Albany, April 25.—Crews' New York City bill providing for the licensing of projectionists will be acted upon by the Assembly here tomorrow with no further delay anticipated. Support of teachers' organizations is now claimed by the proponents in the latest endorsement of the measure.**

## Opening of 'Juarez' At Hollywood Draws Brilliant Audience

Leaders of the industry, diplomats, socialites and representatives of the political, literary and stage world thronged the Hollywood Theatre last night for the opening of "Juarez."

Major Albert Warner was host to the visiting diplomats and introduced notables to the microphone in the lobby. Josephus Daniels gave the principal talk over the air.

Among those present were:

Mr. and Mrs. Sidney R. Kent, Mr. and Mrs. Nate Blumberg, Mr. and Mrs. Jack Cohn, Mr. and Mrs. Oscar Doob, Mr. and Mrs. B. S. Moss, Mr. and Mrs. Harold Rodner, Mr. and Mrs. Dan Michalove, Mr. and Mrs. Joe Hummel, Mr. and Mrs. Roy Haines, Morgan Kaufman, Miss Leona Hertz. Also Jules Brulatour, Hope Hampton, Carl Leserman, Mr. and Mrs. John O'Connor, Mr. and Mrs. Marvin Schenck, H. V. Kaltenborn, Donald Flamm, Alfred McCosker, Monroe Greenthal, Mort Blumenstock.

Also S. Charles Einfeld, Gradwell Sears and Sam E. Morris.

**(Pictures of Opening on Page 7)**

# 1939-'40 FILMS TO COST $209,550,000

### *Increase of $33,000,000 Over This Year; 499 Pictures Scheduled*

The 10 largest producing-distributing organizations will expend an estimated $209,550,000 in the making of 499 motion pictures carded for production next season. This represents an approximate increase of $33,000,000 over the $175,770,000 which current season's proluction budgets may aggregate. About 488 pictures will be produced this season.

Figures do not include Grand National, which was off to a late start this season and experienced production and release interruptions. Its new season's plans, while in work, have not been completed yet.

Survey shows that the tendency for next season is to increase budgets by

(Continued on page 6)

## 'Conspiracy' Seen By Nazis in U. S. And English Films

Berlin, April 25.—Nazis are greatly agitated by what they charge is the existence of a "conspiracy" on the part of the American and British film industries to present Germans and Italians in "an unfavorable light."

The charges are made the subject of an article under a London dateline published in the *Licht Bild Buhne,* film trade paper here. The dispatch describes four films which, it said, were currently being shown in English theatres and which "are a continuance of the policy of 'hetzfilm,' designed to whip up anti-German sentiment." "The tendency is very obviously aimed against the totalitarian states," the paper comments.

Among the alleged anti-totalitarian films named is Columbia's "The Lone Wolf's Daughter," also being released as "The Lone Wolf Spy Hunt." The article says that an international spy who attempts to steal secret American war plans is represented as an Italian.

Two English films are included in the charges. These are "Sword of Honour," which the article says was produced to speed up the slackening enlistment in the British army, and "The Silent Battle," described by the German paper as a story of espionage

(Continued on page 6)

### *Grauman to Abandon Pictures at Chinese*

Hollywood, April 25.—Grauman's Chinese will drop picture programs and adopt an exclusive stage show policy, effective May 12. "Folies Bergere," now playing at the Auditorium, on Treasure Island at the San Francisco Fair, has been booked as the first attraction by Charles P. Skouras. Running 90 minutes, the show will be expanded to two hours by the inclusion of newsreels and short subjects.

The house will go on a reserved seat policy, with one matinee and two evening performances, and four shows on Sunday.

## *"Juarez"*

(*Warners*)

Warners have taken a page from the turbulent history of Mexico and from it have woven a powerful and moving motion picture, adding thereby an important chapter to the volume of cinematic biographies upon which the screen lately has been concentrating much attention.

It is the story of the ill-fated and fraudulently engineered reign of Maximilian as Emperor of Mexico, the dupe of Napoleon III of France, and of Benito Juarez, president of the Republic of Mexico in the 1860's, popular hero of the Mexican people who was a stolid, full-blooded Indian. The life and activity of Juarez are not as well known, generally, as is the brief reign of Maximilian, and thus the picture should take on a greater measure of interest.

Paul Muni brings to his portrait of the great liberator of Mexico, Juarez, all the mastery of characterization for which he is justly famous, and has made of this a memorable performance. Almost equally brilliant are the performances of Brian Aherne, as Maximilian; Bette Davis, as Carlota, his devoted and lovely wife; Claude Rains, as Napoleon III;

(Continued on page 6)

### *Distributors Open Pact Study Today*

**Distributors begin a study of exhibitor comment regarding the trade practice pact at a series of meetings which get under way today at the Hotel Astor. This meeting was called by William F. Rodgers, chairman of the distributor group.**

**One of the principal subjects to be tackled is arbitration.**

**The I.T.O.A. (Brandt) of New York is among those urging a clearer definition of the arbitration clauses.**

# ◂ Purely Personal ▸

MONROE GREENTHAL and AL MARGOLIES, of United Artists, leave for the coast Friday to begin preparations for the company's annual sales meeting, which opens in Los Angeles May 8. The home office and eastern delegation leave here next Wednesday for the coast meeting.

●

W. A. SCULLY, general sales manager of Universal, left San Francisco yesterday for a brief visit to the studios. Before his return to New York next week, he will stop off at the far western branch offices.

●

HAROLD HENDEE, RKO research director, discussed "Authenticating the Movies" yesterday before the Philadelphia Conference of Jewish Women's organizations.

●

JOAN BENNETT arrives in New York via American Airlines from the coast tomorrow to appear on the Campbell Playhouse program Friday.

●

PHIL REISMAN, RKO foreign distribution director, sails from England today aboard the *Normandie*, scheduled to arrive in New York May 1. He has been on an eight-week tour of inspection in Continental Europe.

●

CHARLES K. FREEMAN, formerly director and writer with Universal, will direct and produce "Life and Death of an American," by GEORGE SKLAR, for the WPA Federal Theatre Project.

●

PENNY SINGLETON, star of "Blondie Meets the Boss," will make a personal appearance with the film at the Criterion tomorrow and Friday nights.

●

R. J. O'DONNELL of Interstate Circuit is in New York from Dallas for a brief visit before going on to the Variety Club convention which opens in Detroit tomorrow.

●

HAL HORNE, WALT DISNEY'S eastern representative, leaves for the coast Friday. He will be gone three or four weeks.

●

JAMES A. FITZPATRICK, producer of Traveltalks for M-G-M, is now making his headquarters at the coast studio.

●

AL SELIG, Tower Pictures representative, goes to New Haven and Providence today for openings of "Double Crime on the Maginot Line."

●

C. C. MOSKOWITZ and SEYMOUR MAYER are due back May 8 from a Florida and Havana vacation.

●

A. J. HERMAN, Universal eastern district manager, is in Washington attending a sales conference.

●

LOU PHILLIPS of the Paramount legal department is in Boston for a few days on business.

●

IGNACIO MOLINA, JR., general manager of a circuit in Panama, is in town.

# Insiders' Outlook

By SAM SHAIN

RECENT deaths in the trade have profoundly affected a certain prominent New York exhibitor. When an equally prominent showman passed away last week, the first exhibitor undertook a study of the causes of death and learned that the majority of those who have died were between 50 and 60 years of age, or about his own age.

The other day he ran into some friends at 44th Street and Broadway.

"How's business?" one of them asked.

"Never mind the business; I'm glad I'm alive—exhibitors are falling away so fast," he replied.

▼ ▼

"Hollywood is fine and so full of nice people," Mili Monti confided to Mr. and Mrs. Maurice Silverstone and the James Mulveys in the Maisonette Russe, of the St. Regis. "New York is fine, too—and oh, so nice people," she added. A charming singer who achieved great fame in her native Italy, Miss Monti should be gracing the footlights in an American play. She was under contract for a spell to Major Pictures (E. Cohen).

▼ ▼

One of the industry's most important theatre circuit chieftains dined in Washington recently with Thurman Arnold.

▼ ▼

In Emporia, Kansas, there is an organization which is known as the Better Films Council. This organization refused to endorse RKO's "Boy Slaves." The group's action caused William Allen White to publicly rebuke the society, and in his newspaper, the *Emporia Gazette,* he wrote as follows:

"It is evident that the Emporia Better Films Council didn't know that it was turning down a picture which was designed to show the evils of child labor . . . it is a picture which everyone in this town should see."

At the Astor, in Nick's Hunting Room, Max Cohen (Cinema Circuit), Bill Rodgers, Tom Connors, Ed Saunders and Ted O'Shea talked about trade practice reforms. Cohen invited Rodgers to address the convention of New York Allied, because his presence at the meeting would help to generate goodwill between distributor and exhibitor.

"This is the fundamental purpose of the convention," Cohen stated.

▼ ▼

At United Artists, behind his desk on the 12th floor, Lynn Farnol, with furrowed brow studies the new, practical pocket manual he, Herb Jaediger and their staffs are preparing for the U. A. salesmen, in connection with the company's forthcoming convention, early in May. The book is to be in color and the salesmen also will receive various souvenir gifts from the U. A. producers and executives, such as phonograph records and books pertaining to the new season's product.

▼ ▼

At one of these east-side cocktail parlors where the "silent partners" in the all-girl unit known as "The Amazons," a World's Fair concession, were holding a party, one confides that Amando, who is among the guests present, is the only motion picture illustrator to make the cover of *Collier's*. The current issue is decorated with an Amando creation. He will soon have a second.

And those "Amazons" should make a striking exhibit at the Fair, it seems to us.

▼ ▼

At Sardi's, where Ben Washer generally lunches, a patron reveals that Mollie and Bill Boehnel (*World-Telegram*) have adopted a baby girl.

▼ ▼

Have you made your contribution to the Greater New York Fund?

# The Newsreel Parade

*News from abroad is again featured in the newsreels. S. S. Paris burns, Italian troops in Albania and war preparedness items are included. The reels and their contents follow:*

MOVIETONE NEWS, No. 65—French liner burns. Destroyer leaves for coast. Italians enter Albania. British royalty inspects forces. Paper festival. Lindbergh visits Roosevelt. Spellman appointed archbishop of New York. Winston Churchill discusses war. Tyrone Power weds. Naval air school graduations. Lew Lehr. Yanks open season. Trout fishing. Motor cycles climb hill. Relays.

NEWS OF THE DAY, No. 263—British artillery demonstration. Anti-aircraft maneuvers in Italy. Refugees join French army. S. S. Paris burns. S. S. West Virginia leaves for Pacific. Parachute jumping. Annabella-Power wedding. Beauty contest. Relay races. Fishing contest.

PARAMOUNT NEWS, No. 76—Paper industry celebration. Fire destroys Paris. Steeplechase in Australia. Goering visits Africa. Italian troops occupy Albania. Refugees join French army. Max Baer and Lou Nova in training. Douglas Fairbanks, Jr. weds. Film stars marry. Daylight saving time explained.

RKO PATHE NEWS, No. 80—Italians enter Albania. Washington's inaugural trip reenacted. Secretary Perkins confers with press. Parachute jumping. Neutrality hearing. Horse racing.

UNIVERSAL NEWSREEL, No. 765—"George Washington" enters New York. Italian troops in Albania. Fleet leaves for coast. Lindbergh at White House. Paris burns. Parachute jumping. Paper carnival. Inspect toys for Christmas. Horse racing.

## London Films Forms New Export Branch

**London, April 25.—A separate company to handle export business has been formed by London Films. It is London Films Export, Ltd., registered as a private company with a capital of $25,000. Directors are Steven Pallos and Tristram F. Owen. Pallos for some time has handled the foreign sales business for London Films.**

## 'Chips' Will Follow 'Pygmalion' at Astor

"Mr. Chips," M-G-M British-made production, will follow "Pygmalion" at the Astor when the latter closes its run sometime in May. No closing date has been set, as the latter did an estimated $9,200 in its 19th week and is still strong. Universal has apparently withdrawn "The Mikado" which was due to follow "Pygmalion," as no definite date could be obtained and Universal was unwilling to hold up the film's New York release indefinitely. Indications are that "The Mikado" will go into the Rivoli but this is still tentative. "Mr. Chips" probably will play on a continuous run policy.

"The Lady's From Kentucky" opens today at the Paramount. "Midnight" finished its third week with an estimated $30,000. Second week of "Prison Without Bars" grossed an estimated $8,800 at the Globe.

## N. Y. Allied to Meet Today on Convention

Allied of New York's local unit will meet at 2 P. M. today in the organization's office in the New Amsterdam Building. Plans for the annual convention and World's Fair exposition, May 23 to 25, will be discussed. Max A. Cohen will preside.

E. Thornton Kelly, state executive secretary, will report on meetings held upstate. The Buffalo unit is working out a clearance plan designed to give relief to subsequents. The situation in Syracuse has been adjusted, and reports that an Allied committee there is taking up clearance are erroneous.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# HARDYS RIDE HIGH WIDE AND HANDSOME!

MICKEY ROONEY

Capitol

B'WAY & 51st ST.

Major Edward Bowes, Mng. Dir.

"PLENTY OF FUN" —Sun

for a 2nd WEEK!

The HARDYS RIDE HIGH

M-G-M's Springtime Hit with

LEWIS STONE • MICKEY ROONEY • CECILIA PARKER • FAY HOLDEN • Directed by George Seitz

"Crowded house rocked with hilarity!" Bland Johaneson Mirror

"Highly entertaining. Recommended without reservations." Robert Dana Herald Tribune

"A sheer delight." Wm Boehnel World Telegram

"Thoroughly enjoyable." Rose Pelswick Journal American

Extra "WHILE AMERICA SLEEPS" Sensational Spy Expose "An Eye-Opener" —Winchell

*it's Grade "A"!*

*Hold Extra time for the Season's Sensation!*
*Look at the first S.R.O. results!*

**HOUSTON NEW HIGH!** Biggest grosser this season; leads "Test Pilot", "Boys Town", the New Year's week of "Sweethearts".

**PHILLY PHENOMENAL!** Second day beat first day; far ahead of all Hardy Family releases.

**DETROIT DANDY!** Opens ahead of such pictures as "Idiot's Delight", "Rosalie", "Captains Courageous" and "The Great Ziegfeld".

**FRISCO FABULOUS!** Sensational! Tops "Maytime", "Rosalie", "Good Earth", "Captains Courageous" and other hits!

**BEAUTIFUL BUFFALO!** Nearly double the Christmas holiday opening of "Out West With The Hardys"; tops everything this season except "Too Hot To Handle" and the New Year's business of "Sweethearts".

**MILWAUKEE MAGNIFICENT!** Excellent! Only three better openings since this entire season started.

**ATTABOY ATLANTA!** Equals Thanksgiving business of "Out West With The Hardys"; even with "Too Hot To Handle"; substantially ahead of "Boys Town".

**Flash!** *Houston and Atlanta Hold-over 2nd Week. Watch for more.*

**Hardy good wishes for your engagement too!**

# "A BOX-OFFICE SMASH THAT JUST CAN'T MISS!"

**JACK HARROWER, *FILM DAILY***

"Compares favorably with leading pictures of any studio."

—*Motion Picture Herald*

★

"Monogram has followed 'Boy of the Streets' with a topper."

—*Hollywood Reporter*

★

"Exhibitors can start boasting about it now."

—*Motion Picture Daily*

★

"Highly exploitable for good returns."

—*Jay Emanuel Publications*

★

MARTIN SPELLMAN
NEW JUVENILE SENSATION

# JACKIE COOPER
AND
# MARTIN SPELLMAN
IN
# "STREETS OF NEW YORK"
WITH
MARJORIE REYNOLDS
DICK PURCELL

Directed by WILLIAM NIGH

Screenplay and original story by ROBERT D. ANDREWS

## BIG KEY CITY FIRST RUNS SET

GLOBE, NEW YORK
STANTON, PHILADELPHIA
LOEW'S, LOUISVILLE
HIPPODROME, BALTIMORE
QUEEN, GALVESTON
STRAND, AKRON
PALMS-STATE, DETROIT
LOEW'S, ST. LOUIS
MIDLAND, KANSAS CITY
RITZ, ALBANY
LOEW'S, INDIANAPOLIS

AND MANY MORE

**A MONOGRAM PICTURE**

# International May Ban Coast Parleys Of Studio Unions

(Continued from page 1)

are still indefinite. He said that insofar as he knew, no negotiating meeting has been scheduled with the studio locals. If Casey leaves for the coast this week, he plans to return in two weeks to attend the meeting of the company heads and the American Federation of Musicians executive committee, which has been set for May 18 to discuss proposals for the reemployment of musicians within the industry.

### Control Suit Trial On

Hollywood, April 25. — Constitutionality of rules and by-laws binding locals to their labor internationals today became the principal issue at the trial of counter suits between I.A.T.S.E. International and Studio Technicians Local 37, which opened today before Superior Judge E. H. Wilson.

The case which might effect relations not only between I.A.T.S.E. groups but other A.F.L. units as well as C.I.O. organizations is predicated on whether international can take over the local organization's premises, suspend autonomy, remove officers and control funds.

While process servers on behalf of the local sought to summon Louis B. Mayer, Joseph and Nicholas Schenck and Ed Mannix, the first witness called was Joseph W. Carpenter, local president, who with others officers was suspended by International representatives March 12.

### Charges by Carpenter

Questioned by C. H. Hartke, attorney for International officers John Gatelee and Frank Stickling, Carpenter declared International was not justified in suspending officers and autonomy, told of attempts to withdraw funds from the local's account "to protect interests of members" and said the alliance's demand that the local oust Jeff Kibre, minority leader, on charges of subversism was not granted because the "allegations were unfounded."

Gatelee was the second witness called before the noon recess and told of his 29 years service with I.A.T.S.E.

In opening statements Hartke declared he would prove International under its constitution and bylaws acted within its legal rights to suspend the local's autonomy and officers and that alliance officers had engaged in no campaigns of villification.

A. Brigham Rose, attorney for local officers, charged the alliance with fraudulent actions which he declared made general rules of organization inoperative in this instance.

Gatelee upon resuming the stand for the afternoon session was questioned concerning the "extreme emergency" said to have existed when he and Stickling took over affairs of the local

Tomorrow morning Rose will cross-examine Gatelee.

## Joy Hodges at Ampa

Joy Hodges, musical comedy and screen player, is on the program for the Ampa lunch at the Astor tomorrow, in addition to Dr. J. S. List of NBC, the guest speaker.

# New York Review

## 'Juarez'

(Continued from page 1)

John Garfield, as General Diaz, Juarez's ablest soldier. Miss Davis, in her frantic denunciation of Napoleon, when she scores him for his treachery to her husband, on a lone visit to Paris, and collapses into the insanity from which she never emerges, scores a triumph of emotional and dramatic acting.

The story, as woven by John Huston, Wolfgang Reinhardt and Aeneas MacKenzie, is taken from a play by Franz Werfel and the novel, "The Phantom Crown," by Bertito Harding. Napoleon, pouring vast sums of money into Mexico, seeks to retain his hold without incurring the enforcement of the Monroe Doctrine by Abraham Lincoln, as the Civil War victory of the North appears assured. He hits upon Maximilian, offers him the crown of Mexico, allegedly the result of a plebiscite, actually a vote taken at the points of French guns. The facts of history are freely dealt with, which is the privilege of the dramatist.

Maximilian and his Empress find a strong republican opposition, led by President Juarez, the idol of his people, himself a great admirer of Lincoln. Against the broad sweep of the Mexican country, and a background of political intrigue, Juarez, his capital, the carriage in which he travels, wages his fight against the usurper, answers with bullets the effort of Maximilian to set up a dynasty and his promulgation of the Black Decree, with death the penalty for the bearing of arms. Throughout is stressed Juarez's adhesion to the principles of democracy, and throughout Maximilian and Carlota are pictured as sincere and honest in their efforts to make these people love them, to bring to their reign peace and prosperity. But the forces of destiny and of evil intrigue are too much for them.

Finally, as Napoleon withdraws all support, in fear of the United States, with his wife deranged after pleading with Napoleon, Maximilian is captured, and, despite diplomatic efforts to save his life, is refused clemency by Juarez, to whom duty to his people is all-important, but who finally begs forgiveness at the bier of Maximilian.

William Dieterle's direction is all that could be hoped, as he blends and contrasts the idyllic romance of Maximilian and Carlota and the indomitable will of Juarez with the play of powerful dramatic forces which make up this chapter of history. Henry Blanke was associate producer. This picture must rank among the finer things of the screen.

Running time, 127 minutes. "G."* Charles S. Aaronson

---

*"G" denotes general classification.

# $209,550,000 to Be Spent On 499 Films in 1939-'40

(Continued from page 1)

appreciable amounts, while planning the same number as this season or only nominal increases.

This is true of M-G-M, Universal, Columbia, RKO and Monogram. Increased budgets for a smaller number of productions than last year are planned by Warners, 20th Century-Fox, Paramount and Republic. United Artists will have the largest increase in number of pictures as well as the proportionately largest aggregate increase in production expenditures.

Following are the estimated budgets for the new season compared with current season's figures. Schedules include westerns, serials and short subjects where not made by an outside producer.

| | 1938-39 *Budget* | 1938-'39 *Schedule* | 1939-'40 *Budget* | 1939-'40 *Schedule* |
|---|---|---|---|---|
| Columbia ...... | $9,000,000 | 56 | $12,500,000 | 56 |
| M-G-M ........ | 32,500,000 | 48 | 32,500,000 | 52 |
| Monogram ..... | 1,770,000 | 42 | 2,550,000 | 46 |
| Paramount ..... | 26,000,000 | 56 | 28,000,000 | 60 |
| Republic ....... | 5,000,000 | 55 | 7,500,000 | 50 |
| RKO .......... | 16,000,000 | 48 | 22,500,000 | 48 |
| 20th-Fox ....... | 24,000,000 | 5! | 28,000,000 | 52 |
| United Artists... | 21,000,000 | 20 | 27,500,000 (est.) | 30 (est.) |
| Universal ...... | 13,500,000 | 57 | 18,500,000 | 57 |
| Warners ....... | 27,000,000 | 52 | 30,000,000 | 48 |
| Totals .......... | $175,770,000 | 488 | $209,550,000 | 499 |

## Pat O'Brien's Father Dies

Los Angeles, April 25.—William J. O'Brien, 68, father of Pat O'Brien, died in his sleep at his home here.

## Set Nat Levy Month

Staff of the RKO exchange in Buffalo has designated May as Nat Levy Month, honoring the district manager.

# Para. Stockholder Meeting on June 20

Paramount's annual meeting of stockholders will be held at the home office June 20. Terms of all directors expire with the meeting but the re-election of the entire board is expected. There will be no changes [illegible] the management nominees to the board. These are Barney Balaban, Adolph Zukor, Stanton Griffis, Austin Keough, Neil Agnew, John W. Hicks, Y. Frank Freeman and E. V. Richards.

Paramount board met yesterday with Zukor presiding as chairman for the first time since the December meeting. Company's financial report for the first quarter, which was scheduled to have been made public following the meting, was delayed by uncompleted audits. Report will show net profit for the 13 weeks ended April 1, last, of well over $1,000,000, possibly as high as $1,300,000.

Paramount's cash position continues strong. The remaining $1,750,000 of Paramount's six per cent debentures still outstanding may be retired at any time although there is no plan now for their redemption.

## 'Conspiracy' Seen by Nazis in U. S. Films

(Continued from page 1)

in which "Englishmen are represented as heroes and Germans and Italians are villains."

The fourth film is "Professor Mamlock," a Russian production, which tells of Nazi racial persecution. *Licht Bild Buhne* expresses amazement that a picture of this type is permitted "in democratic Britain while banned in Germany." This film recently was banned by the British censor, after the article appeared.

The paper speculates whether behind these "corrupt films which poison the atmosphere" there is "a guiding hand" and if Sir Robert Vansittart, permanent under-secretary for Britain's foreign affairs, "and other champions of allegedly real Anglo-American friendship might be responsible for the entire affair."

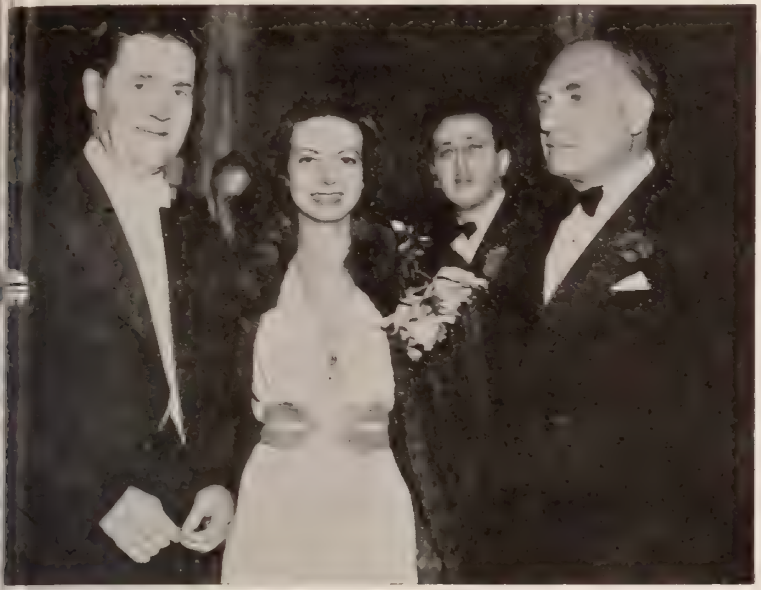
"We congratulate England on her newest 'works of art,'" the article concludes.

## 1,500 Attend Funeral Service for Cocalis

(Continued from page 1)

Herman Gluckman, Mike Rudin, Bob Woolff, Leo Abrams, Joe Felder, Bill Sussman, Morris Epstein, Dick Perry, Bernie Brooks, Harry Furst, E. Carroll, Henry Randall, Peter and Adam Adams, Phil Hodes, J. J. Thompson.

Also, Charles Rosensweig, Abe Leff, Irving Wormser, James Binkov, Nat Steinberg, Harry W. Miller, Charles Weber, Ed Schnitzer, Louis Frisch, Samuel Rinzler, Si Fabian, Ed Connors, Nat Cohn, Al Hovell, John Conway, Morris Kutinsky, Fred Schwartz, H. M. Richey, John Bolte, Harry Thomas, Ted O'Shea, Roy Haines, Al Suchman, Harry Brandt, Leo Brecher, Walter Reade, Dave Levy, Leo Newbury, Harry Buxbaum, Joe Lee.



RADWELL L. SEARS, general sales manager of Warner Bros. Pic-res, Inc. Doris Warner LeRoy, Major Albert Warner, vice-president Warner Bros.

CHARLES EINFELD, vice-president and director of advertising nd publicity of Warner Bros., and Mrs. May Einfeld.

IDNEY R. KENT, president, 20th Century-Fox Film Corp., and Mrs. ent.

MORGAN KAUFMAN of Towanda, Pa., Miss Leona Hertz, daughter of Mr. and Mrs. J. D. Hertz.

# They Saw "Juarez"

AMONG those present at the gala opening of Warners' picture at the Hollywood Theatre last night, which drew an audience of notables from the trade.

MAX A. COHEN, head of Cinema Circuit and president, Allied Theatre Owners of New York, and Mrs. Cohen.

NATE J. BLUMBERG, president, Universal Pictures Co., Inc., and Mrs. Blumberg.

MOE SILVER, New York state district manager, and I. J. Hoffman, New England district manager, of Warner Bros. Theatres.

[Photos by Cosmo-Sileo]

JOHN J. O'CONNOR, vice-president and general manager of RKO Theatres, and Mrs. O'Connor.

# WMCA Will Air Blackett-Sample's 2 Hours of Shows

Probably the most important deal ever effected in non-chain radio has just been closed by WMCA, under terms of which the station will broadcast a two-hour nightly block of programs belonging to Blackett-Sample-Hummert, and heard during morning and afternoon hours over the CBS and NBC networks.

It marks the first time that an agency will attempt duplication of programs on such a major scale. Block of time Blackett-Sample-Hummert will take up amounts to two hours a night, six nights a week, Mondays through Fridays from 8 to 10 P. M. Contract is for a full year on non-cancellable terms.

The programs, 15 minutes each, will be presented in continuous order, and are repeats of the leading daytime programs presented over the networks. They are live dramatizations on the networks, but on WMCA they will be presented via electrical transcriptions.

Programs, and their hour of performance on WMCA, are as follows: "Stella Dallas," 8 to 8:15; "John's Other Wife," 8:15 to 8:30; "Just Plain Bill," 8:30 to 8:45; "Lorenzo Jones," 8:45 to 9; "Romance of Helen Trent," 9 to 9:15; "Our Gal Sunday," 9:15 to 9:30; "Young Widder Brown," 9:30 to 9:45; "Backstage Wife," 9:45 to 10 P. M.

## *US Education Radio Unit Shift Suggested*

WASHINGTON, April 25.—Transfer of the Office of Education, including its radio activities, from the Interior Department to the Federal Security Agency, is contemplated in the plan for reorganization of Federal activities submitted to Congress today by President Roosevelt.

Transfer of the educational activities, the President explained, is designed to concentrate in one agency all Government activities to promote social and economic security, educational opportunity and health. The transfer will neither increase nor extend the activities of the Government in respect to education, but will provide for more efficient administration and eliminate overlapping of activities.

## *Push NBC Antenna*

Work on a new NBC international antenna is nearing completion and will be in full service some time next month. At present only the Buenos Aires section of the antenna is in operation. The Rio de Janiero section will be placed in service next month.

## *English Set Owners Increase by 379,825*

**London, April 25.—Great Britain reports that 8,968,600 wireless licenses were in issue to set owners in Great Britain at the end of March, 1939. The figure shows an increase on the year of 379,825.**

# *Radio Personals*

BOB CROSBY is due in New York this week from the coast. . . . Bill Hardy, Ray Noble's manager, also comes to New York this week, to organize a new band for the leader . . . Hildegarde will make three consecutive guest appearances on the Ripley program . . . Joe Glaser has signed June Richmond as vocalist with the Andy Kirk orchestra . . . Marjorie Uhlfelder, secretary to WHN's comptroller, Jacques Van Straten, has announced her engagement to Raymond Kantrowitz.

## *DuMont Cannot Meet Orders on Television*

Allan B. DuMont Laboratories, the Paramount affiliate, yesterday discontinued acceptance of further orders for its television receiving sets until the plant has caught up with orders already on hand, an official of the company said.

DuMont has been turning out about 300 to 350 sets per week for the past several weeks. Orders already filled have exhausted its inventory and unfilled orders on hand are sufficient to keep the plant at capacity for approximately three months, it was said. The company may begin accepting orders again in about six weeks.

## *Hearn's Closes Deal For Series on WHN*

Hearn's Department Store has entered into a 52-week contract for sponsorship of the "Children's Theatre of the Air" over WHN. Account was placed direct. Additional WHN business includes a year's contract by the Television Training Corp., placed through Huber, Hoge & Son; and an announcement series for the Dodge division of Chrysler Motor Co., through Ruthrauff & Ryan.

Expanding its promotion by use of car cards, WHN has just concluded a deal with the New York, New Haven and Hartford Railroad whereby trains of that line will carry cards advertising WHN programs.

## *Dufaycolor Pushing Process Development*

Dufaycolor has started development of its color process on a commercial basis for the motion picture field. P. M. Hamilton, president, has appointed Aldo Ermini, color photography expert formerly with Technicolor, to handle this development. Upon its perfection it will be introduced to the industry. Ermini directed the color photography on Alexander Korda's "Drums."

## *U. S. Tobacco Renews*

U. S. Tobacco Co. has renewed its CBS program, "Model Minstrels," for the fifth consecutive year. Extension is effective May 29. Program has been presented in the one spot for its entire period on the air, Mondays from 8:30 to 9 P. M. With the renewal five more stations will be added, affording a network of 54 stations. Program is handled by the Arthur Kudner agency.

## *Detroit Holds Lead in Schaefer Sales Drive*

Detroit continues to hold the lead in RKO's George Schaefer Drive after 11 weeks of the 18-week sales campaign. Buffalo is second and New York third. Leaders in the separate divisions of the drive are:

Short subjects—Charlotte, Joe Breecheen, manager, and Montreal, M. Plottel, manager, leader for Canada; Walt Disney Division—St. Louis, B. J. McCarthy, manager; Calgary, H. F. Taylor, manager, leader for Canada; March of Time—New Haven, B. Pitkin, manager, Calgary, leader for Canada. "Fisherman's Wharf" unit—San Francisco, G. William Wolf, manager, Toronto, J. F. Meyers, manager, leader for Canada.

In the Ad Sales contest for both the United States and Canada, Los Angeles, N. P. Jacobs, manager, is out in front.

## *Settle Dispute with Rose on World Fair*

An early morning meeting yesterday in the home of Sophie Tucker, president of the American Federation of Actors, resulted in an agreement settling the dispute between Billy Rose, who will operate the Aquacade at the World Fair, and the A.F.A.

The agreement, which will be signed later this week, provides for $35 minimum for swimmers, dancers and members of the chorus, and a closed A.F.A. shop. Rehearsal pay will depend on an audit of the books to be made later. Walter Winchell will decide whether there have been sufficient profits to warrant rehearsal pay. Besides Miss Tucker, Rose and Winchell, others at the meeting were Ralph Whitehead, executive secretary, and Harold Koenigsburg, A.F.A. representative.

## *To Show Picture at Variety Club Party*

A two-reel film describing the charitable activities of the 16 Variety Clubs will be shown at the annual banquet of the national Variety convention in Detroit Saturday night. The banquet will bring the three-day meeting to a close.

There will be a New York delegation of about 20 at the convention. One group will leave tomorrow night from Grand Central station, including W. F. Rodgers, Herman Robbins, George Dembow, Tom Connors, Ed Saunders, J. J. Ungers, H. M. Richey and others.

John B. Kennedy, radio commentator, has been added to the list of banquet speakers. Sessions start tomorrow at the Book Cadillac Hotel.

## *'Juarez' Rebroadcast*

By arrangement with *La Nacion*, Buenos Aires newspaper, the CBS short wave broadcast on "Juarez" from the lobby of the Hollywood Theatre last night was rebroadcast by the paper's station, LOZ, covering Argentina, Uruguay and Chile.

## *Tibbett in "Circle"*

Lawrence Tibbett returns permanently to "The Circle" broadcasts this Sunday. In addition to his singing role, Tibbett will serve as master of ceremonies for Basil Rathbone.

# KAO 13-Week Net Reaches $327,18

Keith-Albee-Orpheum reports a n profit of $327,186 for the 13 wee ended April 1, last, equivalent $5.09 per share on the company's 6 304 shares of seven per cent cumul tive convertible preferred stock. T result compares with net prof $336,594, equal to $5.23 per shar the preferred stock, for the corr sponding period last year.

Results for the quarter give K-A- a net of $987,587 for the 52 weel ended April 1.

Net profit of B. F. Keith Corp. f the 13 weeks ended April 1 w $218,364, which compares with net $196,646 for the first quarter of 193 For the 52 weeks ended April 1, B. Keith's profit amounted to $773,729.

## *Equity Rejects Plea On Sunday Show Pa*

Actors' Equity yesterday reject the proposal that it waive double p for members playing in Sunday show and refused to take a referendum its membership. The action followe the vote of Stagehands' Union, Loc 1, Sunday, which also refused waive extra pay.

James F. Reilly, executive secreta of League of N. Y. Theatres, ar William A. Brady, Broadway legit mate stage producer, made a fin appeal to the council yesterday b were unsuccessful. Equity's quarter meeting resolved that the referendu would be submitted only if all oth theatrical craft unions first gave sim lar consent.

## *Pathe Stockholders Elect Directorat*

Annual stockholders' meeting Pathe Film Corp. was held yesterda with about 100 present. New dire tors elected were Henry J. Guil Allan P. Kirby, Louis Phillips, Ro ert M. McKinney, Charles A. Ston Kenneth M. Young and Robert F Young.

All were reelected with the excep tion of Kirby, who replaced O. Henr Briggs, and K. M. Young, who re placed T. P. Loach. The board wi hold its first meeting tomorrow t elect officers.

## *N. Y. Senate Passes Bill on Radio Libe*

ALBANY, April 25.—The Moffett Coudert bill to give radio commenta tors, networks and individual station the same libel protection as possesse by the press, passed the State Senat today and is now up before Governo Lehman for signature.

The bill will protect networks an their employes from damage suit such as recently suffered by NBC which was fined $25,000 because o allegedly damaging remarks made b Al Jolson about a hotel.

## *G. T. E. Net $145,543*

General Theatres Equipment, Inc has reported for the quarter ende March 31, profit of $145,543, afte taxes and charges, equal 24 cents share on the common stock. It com pares to $120,264 profit in the sam period last year.

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Alert,
ntelligent
nd
ndispensable
o the Motion
Picture
ndustry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 81 NEW YORK, THURSDAY, APRIL 27, 1939 TEN CENTS

## ppeals May lold Up RKO 'lan Until Fall

### elay Seen Due to Full U. S. Court Calendar

Consummation of RKO's reorgani-ion and its final discharge from steeship may be delayed until next by creditors' appeals from the leral District court order confirm- the company's reorganization plan, vas indicated yesterday.

Hearing of the creditors' petitions the U. S. Circuit Court of Appeals ears to be impossible before the rt recesses for the summer, due to congestion of the calendar. Even the appeals were to be reached or to the summer adjournment it uld be so near the end of the ses-n that a decision would not be nded down in any event until late tember or October, at the earliest.

**Earnings Improve**

Company's earnings have showed rked improvement for the past nine nths and the result for the first arter of the current year, ended ril 1, will be about $475,000 better n for the corresponding quarter of 8. Operations for the month of ril, also, have been running well ad of April of last year. This particularly true of the picture

(*Continued on page 8*)

## -Day 'Pacific' Fete nderWayinOmaha

Omaha, April 26.—Four-day ob-vance of the world premiere of ramount's "Union Pacific" togeth- with the west's "Golden Spike" ebration started here today at the y Auditorium. Program included opening of the historical museum l celebration built around the ar-al of the Golden Spike from San ancisco.

Barney Balaban, Paramount presi-t, accompanied by Neil Agnew, e-president in charge of distribu-, and Charles R. Reagan, western ision sales manager, will arrive m the home office tomorrow after-on by United Airlines. En route, y will be joined by Allen Usher, trict manager. Arriving at the ne time will be the "Union Pacific" ecial from Hollywood bringing cil B. DeMille, the cast of the pic-e and other studio personalities.

This group, together with William Jeffers, president of the Union Pa-

(*Continued on page 8*)

### *Para. Shifts Date Of Sales Meeting*

**Paramount yesterday advanced the date of its national sales convention in Los Angeles to avoid conflict with the national convention of Allied States in Minneapolis, acceding to the request of W. A. Steffes, Allied convention chairman. The Paramount meeting was changed from June 12-14 to June 8-10 by Neil F. Agnew, vice-president in charge of distribution.**

**Several Paramount sales executives plan to attend the Allied meeting following the convention.**

## 462 Players, 128 Directors On Contract

There are 462 contract players on the 10 principal Hollywood lots at present, according to home office compilations just completed. Directors under contract to the same 10 producing organizations number 128.

Paramount leads with the largest number of players under contract, a total of 85, and is tied with 20th Century-Fox for second with 16 directors under contract. M-G-M with 26 directors under contract leads in that division.

Following is the tabulation of player and director contracts by companies.

Paramount, 85 contract players and 16 contract directors; M-G-M, 76 players and 26 directors; United Artists, 56 and seven; Warners, 55 and 12; Columbia, 42 and 10; Universal, 40 and 15; RKO, 38 and 13; 20th-Fox, 36 and 16; Republic, 20 and seven; Monogram, 14 and six.

### *Reservations Pile Up For Allied Exposition*

A large attendance of exhibitors is indicated in reservations already received by New York Allied for its annual convention and exposition May 23 to 25 at the Astor. Hotel reservations have been made by exhibitors in Maryland, Pennsylvania, Washington, D. C., New England states and upper New York.

Because of the influx for the World's Fair, the organization has informed exhibitors that hotels cannot guarantee reservations beyond May 1.

State officers of the unit met yesterday to make plans for the affair.

# NEW BRITISH TAX HITS U. S. FILMS

### *To Pay £8 to British £1 Under Revision; Both File Protests*

London, April 26.—Estimates here indicate that American film companies face an increase of approximately $2,000,000 annually, while the British industry's increase will be about $260,000, as a result of the increases in duties and excise taxes on films imposed in the new budget submitted to Parliament yesterday by Sir John Simon, Chancellor of the Exchequer. The estimates show that the American industry will pay £8 to every £1 paid by the British industry.

Protests already have been made by both British and American film interests here to the Government against the imposition of the new tax schedule.

The trade here is greatly concerned over the increases, distributors being chiefly disturbed because the alteration in the tax on imported positive film means greatly increased film costs. While American companies are affected chiefly by the increase in the import duties on positive as well as negatives, the British interests will be affected by the new excise taxes on British-manufactured raw stock.

The present penny-a-foot duty on imports of positive and five pence on

(*Continued on page 8*)

## Loew's and RKO Seek to Eliminate 7-Day Giveaways

Loew's and RKO have been attempting to obtain elimination of seven-day cash giveaways as practiced by a number of independent theatres. Some houses are said to have giveaways every night of the week, in addition to matinees.

Discussions with the independents have been held for the last six months, without result. The independents claim that they are "forced" to the practice because of the product and clearance situation.

The major circuits are striving to eliminate games. RKO dropped "Circus Screeno" four or five months ago and Tuesday night held the last of a series of cash giveaways in which its five Bronx theatres combined. The combination games were started two weeks ago as a temporary policy.

### *Distributors Resume Pact Talk Next Week*

Discussions on elaboration of the trade practice code's arbitration provisions will be continued, it was said yesterday following a meeting of the distributors' committee at the Astor.

Sales executives and attorneys of major companies attended the meeting, and Harry Brandt, I.T.O.A. president, conferred with the committee briefly. Several committee members leave tonight for the Variety Club convention in Detroit and consideration of changes will be resumed next week.

Attending yesterday's all-day session were Rodgers, Edward Aaron and Tyree Dillard of M-G-G; Neil F. Agnew and Irving Cohen of Paramount, Gradwell L. Sears and I. Howard Levinson of Warners, Ned E. Depinet of RKO and A. Montague and Irving Moross of Columbia.

### *Reject Parking Law*

Toronto, April 26.—Ontario legislature has rejected the Toronto bylaw which provided that theatre owners must have private automobile parking areas for patrons so that the cars would not be left on the streets during performances. The city had asked for permissive legislation to compel the provision of parking lots in proportion to the number of seats in a theatre.

## Crews Bill Suffers Defeat in Assembly

Albany, April 26.—Crews' New York City projectionist bill was overwhelmingly defeated in the New York State Assembly today by a vote of 81 to 33. Crews, however, kept the bill alive by a Parliamentary move in which his motion to lay the bill on the table was carried. Another vote may be taken before the end of the legislative session, when the motion to reconsider is made.

Crews, saying his bill was purely a safety measure, said it does not affect amateur and 16mm. operators. He cited the endorsements of the American Federation of Labor and State Federation of Teachers, among others. Nearly every upstate member of the Assembly voted in opposition to the bill. The opposition of religious groups, together with that of small exhibitors, proved the determining factor.

## Para. Quarter Net Put at $1,300,000

Paramount yesterday estimated its earnings for the quarter ended April 1 at $1,300,000 after interest and all charges. This amount includes $678,000 of Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter of partially owned, non-consolidated subsidiaries. The figure compares with net of $830,866 for the corresponding quarter last year, when $806,000 of undistributed earnings of non-consolidated subsidiaries was included.

Result for the 1939 quarter is equivalent after dividends on the first and second preferred stock to 41 cents per share on the 2,465,927 shares of common stock, compared with 22 cents per share for the corresponding quarter last year.

## *Republic Sets Coast Meeting on May 8-9*

Dates of Republic's fourth and final regional sales meeting, in San Francisco, have been changed to May 8 and 9. It had been scheduled to be held earlier.

H. J. Yates left last night for the coast and James R. Grainger, president, will leave Sunday for San Francisco. They will attend the west coast opening of "Man of Conquest" at the Paramount, San Francisco, May 4, and remain there for the meeting.

## *Saville Is on Coast For Metro Parleys*

HOLLYWOOD, April 26.—Victor Saville and his wife arrived here yesterday from England for conferences with Ben Goetz, in charge of M-G-M British production, over the future product to be made in London.

The next three films to be produced by Saville in England will be "Busman's Holiday" and "The Earl of Chicago," both to be Robert Montgomery vehicles, and "The Ruined City," from the novel, "Kindling," with Robert Donat.

## *Appeal "Polygamy" Ban*

Banning of "Polygamy" by Irwin Esmond, New York state censor, has been appealed by Syndicate Exchanges. N. Y. Board of Regents will hear the appeal after a screening before a subcommittee of three.

## *'Feathers' Print Due*

First print of "Four Feathers," Alexander Korda color production for release in this country by United Artists, will arrive here on the *Normandie* Monday.

## *Para. Dance Tomorrow*

Paramount Pep Club spring dance will be held in the Belvedere Room of the Hotel Astor tomorrow night.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

# *◂ Purely Personal ▸*

LYNN FARNOL, director of publicity and advertising for United Artists, will fly to Hollywood Monday to prepare for the annual sales convention May 7-11.

•

Lunching at Sardi's yesterday were ARTHUR LOEW, MOSS HART, JOHN D. HERTZ, JR., MORT SPRING, DAVID BLUM, CHARLES WASHBURN, STANTON GRIFFIS, WHITNEY BOURNE, HARRY BUXBAUM, BOB COHEN.

•

BERTITA HARDING, author of "Phantom Crown" upon which Warner's "Juarez" is based, has arrived from Hollywood with her husband, and is stopping at the Waldorf-Astoria.

•

BEN CAMMACK, RKO's general manager in Latin America, will arrive in Los Angeles from Honolulu May 1 following an inspection tour in the Far East.

•

IAN C. JAVAL, commercial director for Baird Television, arrives tomorrow on the *Aquitania* with engineers and equipment for demonstration purposes.

•

LYA LYS, actress who appeared in Warners' "Confessions of a Nazi Spy," left for the coast last night after two weeks vacation in New York.

•

GUS EDWARDS, upon whose career Paramount's "The Star Maker" is based, has left for the Mayo Clinic in Minnesota for treatment.

•

ANNA NEAGLE arrives tomorrow from England en route to Hollywood for work in her first American picture, to be produced by RKO.

•

CHARLES RUPPERT, RKO player, has changed his name to CHARLES DRAKE.

ED KUYKENDALL, M.P.T.O.A. president, is en route to Detroit to attend the Variety annual convention opening there today.

•

RALPH B. AUSTRIAN, RCA Manufacturing assistant vice-president, leaves for Hollywood tomorrow for conferences with Photophone executives on the coast.

•

JOE HEPPNER of Metropolitan Photo and DICK CONDON will accompany HAL HORNE when the latter leaves for the coast Friday. They will be gone about a month.

•

MORRIS JOSEPH, Universal's New Haven exchange manager, will celebrate his 25th anniversary in the industry with a playdate drive, May 21-27.

•

DAVE PALFREYMAN of the M.P. P.D.A. leaves New York today to attend the annual convention of the Variety Clubs in Detroit.

•

A-MIKE VOGEL, chairman of the Round Table Department of *Motion Picture Herald,* leaves today for the Variety Club convention in Detroit.

•

FRED LANGE, Continental European manager for Paramount, arrives in New York today on the *Conte di Savoia.*

•

WILLIAM T. KERRIGAN has joined the advertising and copy service department of Filmack Trailer Co., Chicago.

•

J. J. MILSTEIN leaves for the coast today for the U.A. convention and conferences with EDWARD SMALL.

•

WILL H. HAYS has postponed his departure for the coast until some time next week.

## *Para. Asks Dismissal Of Jablow, Acker Suit*

Paramount Pictures, Inc., filed notice yesterday that it will apply to the U. S. District Court on May 5 for an order dismissing the stockholders' suit of Frank Jablow and Sam Acker against it and its officers and directors on the ground that the complaint fails to state each cause of action separately. If this application is denied, the notice stated, Paramount will ask the court to direct the plaintiffs to file an amended complaint and in addition a bill of particulars. An extension of 20 days' time to answer will also be sought by Paramount.

## *Discontinue Song Suit*

Suit for $1,000,000 damages, injunction and accounting against 20th Century-Fox Film Corp., Movietone News Corp., Sam Fox Publishing Co., Sam and Harry Fox, Con Conrad, Herb Magidson and Nino Martini, brought by the Foreign and Domestic Music Corp., Societe Anonyme Musicale Bixio and Cesare Andrea Bixio, has been discontinued, according to stipulations filed in the U. S. District Court. Plaintiffs had charged plagiarism of their song, "Passa L'Amore" by "Midnight in Paris," sung in the film "Here's to Romance."

## *Honor Max Wolff on 20th Year at M-G-M*

Max Wolff of M-G-M's purchasing department was honored at a dinner dance at the Astor last night given by the Max Wolff Association, an organization which performs charitable activities.

The affair signalized Wolff's 20th anniversary with the company. In recognition of his charitable work, Wolff was presented a gold card as a testimonial.

About 450 were present. From Loew's were Joseph R. Vogel, Marvin Schenck, Oscar A. Doob, Judge I. Frey, Charles J. Sonin, Lester B. Isaac, Harry M. Bernstein, W. R. Ferguson, Eddie Carrier and others. Among others present were Mayors Joseph Loehr of Norwalk, Conn., and Frank Strack of Yonkers, Herb Petty and Frank Roehrenbeck of WHN, Capt. Roscoe Turner, aviator; Bobby Feldman of WMCA, Roger Wolfe Kahn and numerous civic notables. George Hamilton Combs, WHN commentator, was one of the toastmasters.

## *Three Writers Signed*

HOLLYWOOD, April 26.—Arthur Sheekman, Robert Thoeren and Billy Wilder have been signed to contracts as writers by M-G-M.

## *'Wuthering,' Play, Will Open Tonight*

**For the first time in recent Broadway history, a legitimate stage play will open in the face of competition from a film of the same name. "Wuthering Heights," dramatized by Randolph Carter, bows in at the Longacre tonight while the film goes into its third week at the Rivoli at the same time.**

**Robert Henderson and Harry Young are the producers. Included in the cast are Edith Barrett, Don Terry, Viola Roache, Sherling Oliver.**

## *ITOA to Handle Fund For Smaller Circuits*

New York I.T.O.A. has organized to handle Greater New York Fund activities for the smaller circuits in the city. Those circuits which are not equipped to make solicitation themselves may do so through the organization. The larger independent circuits, however, will conduct their own solicitation.

The plan was outlined by Harry Brandt, president, at a membership meeting yesterday at the Astor. Brandt is a leader of the campaign's film industry division.

## *Trust Suit Bill Here, Will Be Filed Today*

Government's bill of particulars in its anti-trust suit against major companies was brought from Washington yesterday by Special Assistant Attorney General Paul Williams. Clerical corrections which were required, however, prevented its filing at that time. It will be served upon defense attorneys and filed today.

## *Roberts Back from S. A.*

Business conditions in Latin America are in excellent condition, Charles Roberts, Columbia home office supervisor for the territory, reported on his return to New York aboard the *Orizaba* after six months in Central and South America and the West Indies.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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# Reorganization of Condor Approved

Los Angeles April 26.—Federal Judge George Cosgrave has approved the reorganization plan for Condor Pictures, under which a new firm, Condor Corp., would liquidate the assets of the former company, consisting mainly of 30 pictures in the process of distribution by Grand National and RKO and eventually engage in production.

The plan calls for issuance of $100,000 in Class "A" shares of new company stock to creditors with unsecured claims, $40,000 in Class "B" stock to stockholders having damage claims by reason of the S.E.C. stopping old Condor stock sales, and new common stock share-for-share to all other stockholders. First move of the new company will be to attempt to repay $140,000 indebtedness and then enter production.

## *Canada MPD Takes Up Nova Scotia Bill*

Toronto, April 26.—Col. John A. Cooper, president of the Motion Picture Distributors of Canada, has been in Ottawa to discuss with Federal Government authorities the situation in connection with passage by the Nova Scotia Legislature of the bill providing for control of film exchanges through a license system. One provision of the act, which is to amend the Theatres, Cinematographs and Amusements Act, is that it is not to come into force until "such day as the Governor-In-Council orders and declares by proclamation." Accordingly, the film distributors are continuing their fight against the legislative proposals.

## *Set Spellman Hearing*

Hearing on the Spellman bill, which would make it a misdemeanor for a ticket broker to advance the price of a ticket more than 75 cents for orchestra seats and 50 cents for balcony seats, will be held at City Hall at 2:30 P.M. tomorrow. The bill is pending in the New York City Council. James F. Reilly, executive secretary of the League of N. Y. Theatres, and Philip Loeb, of Actors' Equity, will appear in support of the bill.

## *To Hear 'Birth' Appeal*

Albany, April 25.—Appellate Division, Third Department, will hear an appeal by American Committee on Maternal Welfare, Inc., and Sam Citron from a decision of the N. Y. Board of Regents which banned "The Birth of a Baby."

## *WB Holds Schlesinger*

Hollywood, April 26.—Warners today extended the contract of Leon Schlesinger, producing cartoons for W.B. release, for another year. He will again make 42 subjects, divided into 26 Merrie Melodies and 16 Looney Tunes.

## *Bracker to Paramount*

Murray Bracker has joined the license department of Paramount. He will be associated with Harry Royster in the sales plan for Max Fleischer's feature-length cartoon in color, "Gulliver's Travels."

# *Hollywood Previews*

## *"Sorority House"*

*(RKO)*

Hollywood, April 26.—Alert showmen have in "Sorority House" a mint of ideas for exploitation campaigns of varying types to fit their particular communities. It is, in a sense, a brutally frank expose of the caste system generally accepted as abounding in American college sororities and fraternities. In that respect, it can be a subject of controversy. Filled with human interest, it tells the story of a none too well-to-do father's sacrifices to send his daughter to college, where she is almost submerged in the whirlpools of snobbery and childish cruelty.

Chief of the roles is taken by Anne Shirley, who is given a good run for thespic honors by Barbara Read. James Ellison is the romantic lead, and Adele Pearce, J. M. Kerrigan, Helen Wood, Doris Jordan, June Storey, Elisabeth Risdon, Margaret Armstrong, Selmer Jackson and Chill Wills complete the cast. "Sorority House" is a tersely told tale from the pen of Dalton Trumbo, who adapted the play, "The Chi House," by Mary Coyle Chase. There is not a lost motion in John Farrow's direction. Robert Sisk produced, under the supervision of Lee Marcus, production executive.

Miss Shirley goes to college only after her worshipping father, Kerrigan, mortgages his grocery store for the funds. Ignorant of sorority "rushes," she rooms with Miss Read and Miss Pearce, the former a girl shunned by the Greek letter organizations, and the latter dazzled by their "glamour." Through a ruse in which she has had no part, Miss Shirley is "rushed," and gets the bid to the highest sorority on the campus. Miss Pearce loses out, and Miss Read takes it philosophically. The story ends with the trio realizing the true snobbishness of the other girls.

Running time, 63 minutes. "G."* VANCE KING

## *"Blind Alley"*

*(Columbia)*

Hollywood, April 26.—Here are two pictures in one, a gun-blazing melodrama and a psychological study, exploitable as either or both and satisfactory on both counts. Chester Morris, playing a vicious killer, and Ralph Bellamy, as a psychiatrist who psychoanalyzes him as a means of bringing his crimson career to an end, are the top names. Both supply excellent portrayals, with Ann Dvorak, Joan Perry, Melville Cooper, Rose Stradner and John Eldridge in principal support.

The story, written for the screen by Philip MacDonald, Michael Blankfort and Albert Duffy from a play by James Warwick, follows a direct line from the escape of an imprisoned killer to his death at police hands. It places him in gun-point command of a houseful of people, family and guests of a psychiatrist, and leaves him there throughout a suspenseful night in the course of which the psychiatrist manages to psychoanalyze the murderer, via interpretation of a recurrent nightmare, ultimately dissolving his killer psychosis and thus ridding him of murderous impulse. Police guns get him, however.

Associate producer Fred Kohlmar and director Charles Vidor have succeeded admirably in conveying the somewhat esoteric elements of the story without expense to the plainer variety of melodrama which the plain variety of cinemagoer understands more fully. The film may be offered, therefore, to practically any type of patronage with confidence.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.*

## *'U' Heads Visit Studio*

Hollywood, April 26.—Five Universal distribution and home office executives visited the studio today, examining product following windup of the regional sales convention in San Francisco. They were W. A. Scully, general sales manager; W. J. Heineman, wsetern sales manager; A. J. O'Keefe, west coast district manager, and James Jordan and F. T Murray of the New York office.

## *N. J. Allied to Move*

New Jersey Allied on Monday will move its offices from the Lincoln Hotel to temporary headquarters in the Sardi Building on West 44th St.

## *Auster Quits Code Post*

Hollywood, April 26.—Islin Auster, a member of the Production Code Administration staff under Joseph I. Breen since its inception, has resigned and has joined Universal's story department here. Harry Zehner, formerly with the Universal story department, has succeeded Auster.

## *Claim 'Liberty' Record*

Hollywood, April 26. — Warners claim that "Sons of Liberty," historical short subject, will set a new mark for playing time for the Americanism series, with a total of almost 10,000 houses booking the film.

# Frisco Gives "Wuthering" Good $8,500

San Francisco, April 26.—All the leading attractions here were in the second week, with "The Story of Vernon and Irene Castle" taking $13,000 at the Golden Gate. "Wuthering Heights" drew a good $8,500, "Broadway Serenade" $6,200 at the St. Francis, and "The Story of Alexander Graham Bell" and "Chasing Danger" $10,000 at the Paramount.

Estimated takings for the week ending April 18-21:

**"Story of Irene and Vernon Castle" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: Vaudeville. Gross: $13,000. (Average, $15,000)
**"Three Smart Girls Grow Up" (Univ.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $6,700. (Average, $8,000)
**"Dodge City" (W. B.)**
**"Sudden Money" (Para.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $13,500. (Average, $16,000)
**"Story of Alexander Graham Bell" (20th-Fox)**
**"Chasing Danger" (20th-Fox)**
PARAMOUNT—(2,740) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $11,500)
**"Broadway Serenade" (M-G-M)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $6,200. (Average, $6,000)
**"Blackwell's Island" (W. B.)**
**"Woman Doctor" (Rep)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days. Gross. $9,500. (Average, $12,000)
**"Wuthering Heights" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65) 7 days, 2nd week. Gross: $8,500. (Average, $8,000)
**"Symphony in the Mountains" (Zwicker)**
CLAY—(400) (15c-35c-40c) 7 days. Gross: $650. (Average, $1,000)
**"Annie Laurie" (World)**
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $700. (Average, $1,000)

# 'Midnight' Pulls $13,000 in Cincy

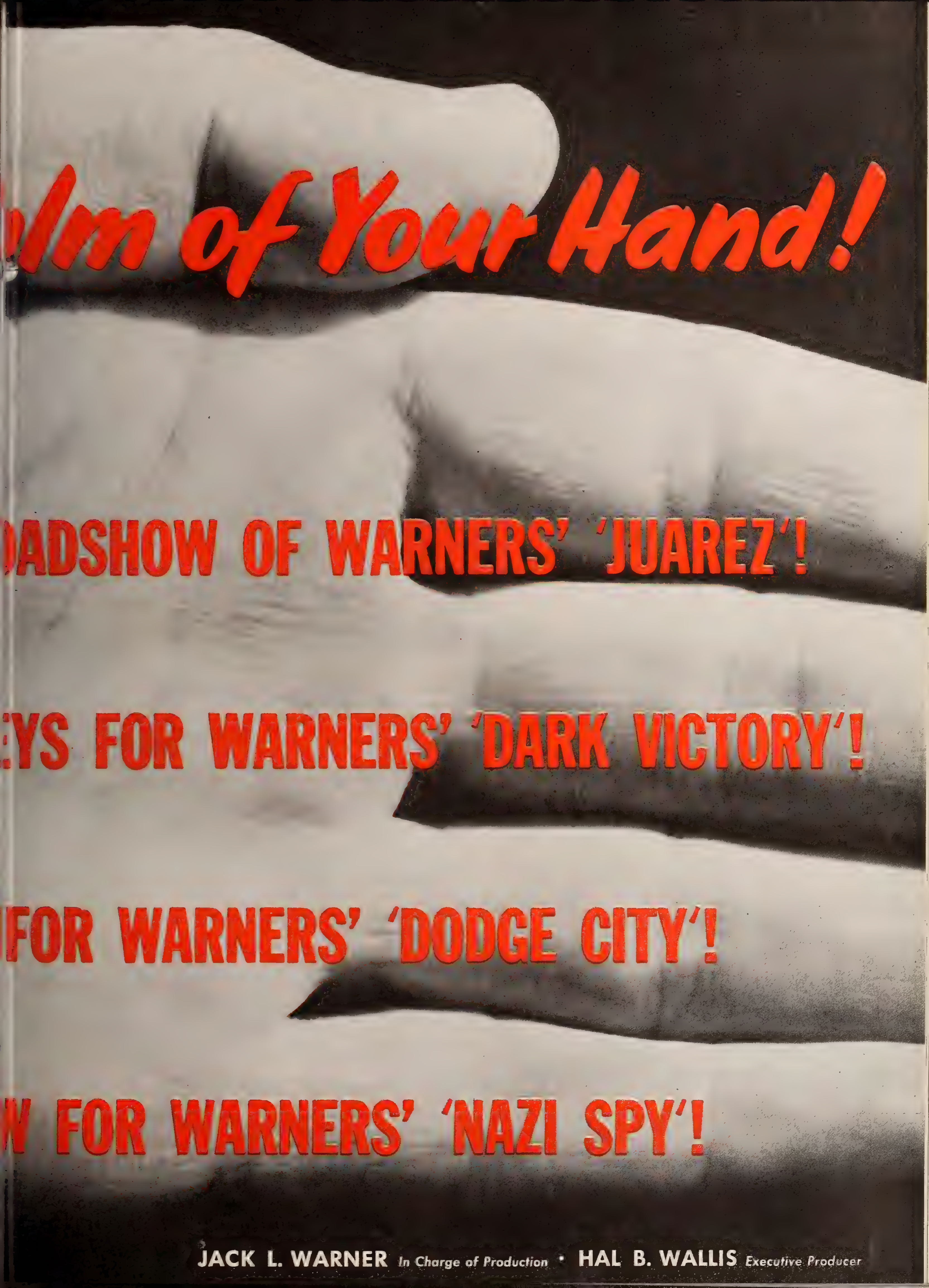
Cincinnati, April 26.—"Midnight" was the top grosser, giving the RKO Albee a nice $13,000.

"Stagecoach" collected a big $11,000 at the RKO Palace, and "Dodge City" pulled an exceptionally strong $8,800 on a moveover week at the RKO Capitol.

Estimated takings for the week ending April 20-22:

**"Midnight" (Para.)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $13,000. (Average, $12,000)
**"Stagecoach" (U. A.)**
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $11,000. (Average, $10,000)
**"The Story of Vernon and Irene Castle" (RKO)**
RKO SHUBERT—(2,150) (35c-42c) 7 days, 2nd week. Gross: $6,200. (Average, $10,000)
**"Dodge City" (W. B.)**
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $6,800. (Average, $6,500)
**"Twelve Crowded Hours" (RKO) (1 day)**
**"The Eagle and the Hawk" (Para. reissue, 6 days)**
RKO LYRIC—(1,400) (35c-42c). Gross: $3,200. (Average, $6,500)
**"Three Smart Girls Grow Up" (Univ.)**
RKO GRAND—(1,400) (25c-40c) 7 days, 4th week. Gross: $2,450. (Average, $2,750)
**"The Mystery of Mr. Wong" (Mono.)**
**"Fisherman's Wharf" (RKO)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,450. (Average, $1,500)
**"Pardon Our Nerve" (20th-Fox)**
**"Prison Train" (Big Feature Rights)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $800. (Average, $900)
**"Society Lawyer" (M-G-M)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,000. (Average, $6,000)

A Fortune in the
ABSOLUTE SELLOUT FOR $2-TOP N.
SECOND WEEK RADIO CITY AND AL
THREE-WEEK HOLDOVERS EVERYWH
FRONT-PAGE N. Y. PREMIERE TOMOR



# lm of Your Hand!

ADSHOW OF WARNERS' 'JUAREZ'!

YS FOR WARNERS' 'DARK VICTORY'!

FOR WARNERS' 'DODGE CITY'!

FOR WARNERS' 'NAZI SPY'!

**JACK L. WARNER** *In Charge of Production* • **HAL B. WALLIS** *Executive Producer*

# The greatest publicity

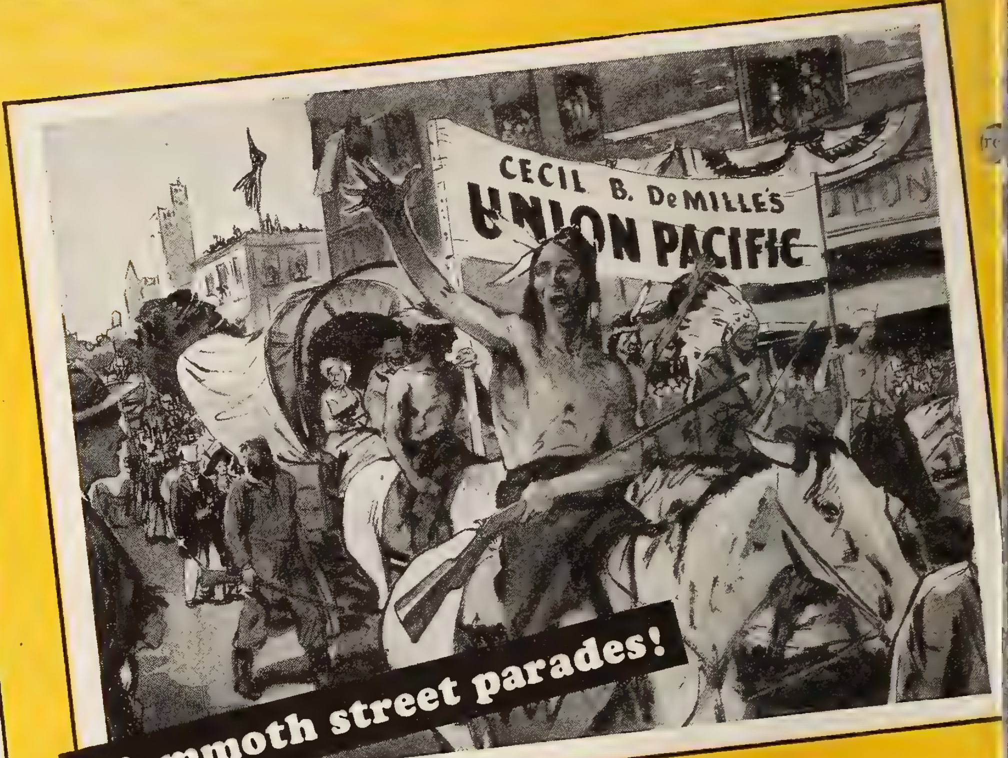
# PRE-SELLING THE GREATEST

## This week, the great city of OMAHA, Nebraska gives "UNION PACIFIC" the biggest World Premiere in motion picture history!

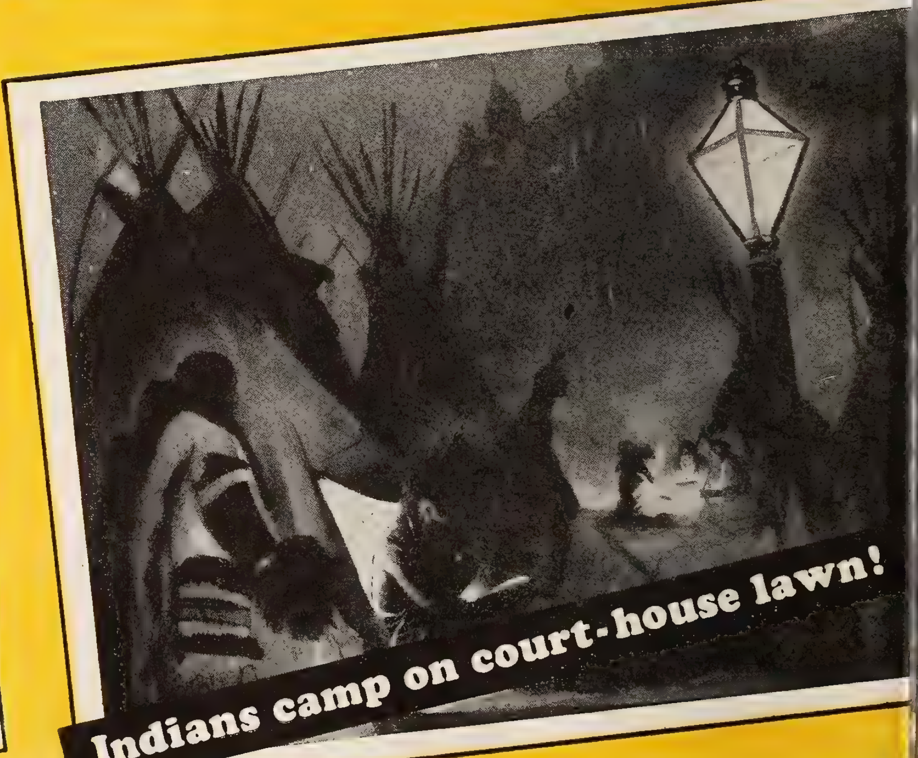
Two blocks of city streets will be made into replicas of the 1869 period. Fifty-two blocks, including the business section, will be elaborately decorated. 60,000 men, women and children will be in 1869 costume, 325,000 Nebraskans will be present during the four-day celebration.

On Thursday there will be a huge military parade. Mr. DeMille and the Paramount stars from the coast will be guests of the City and the State at a giant dinner for 9,000 people, to be broadcast over an N. B. C. Red Network from coast to coast. Other celebrities will include the governors of Nebraska and neighboring states, as well as 12 presidents of America's great railroads.

On Friday there will be another tremendous parade starting off another day of city-wide celebration leading up to the official world premiere of "Union Pacific" at the Omaha Theatre, the Orpheum Theatre, the Paramount Theatre, plus extra midnight overflow show at the Orpheum Theatre. A total of 17,000 people will see this picture in one night. These proceedings will be broadcast over the Mutual Network of 125 stations and the N. B. C. Red Network from coast to coast.



Mammoth street parades!



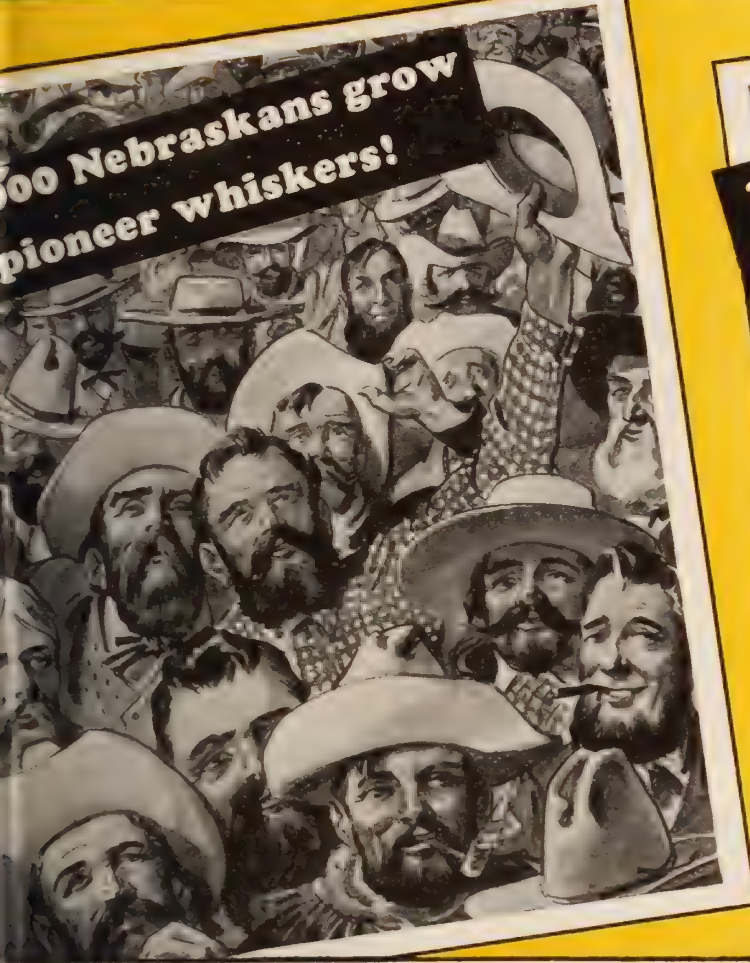
Indians camp on court-house lawn!

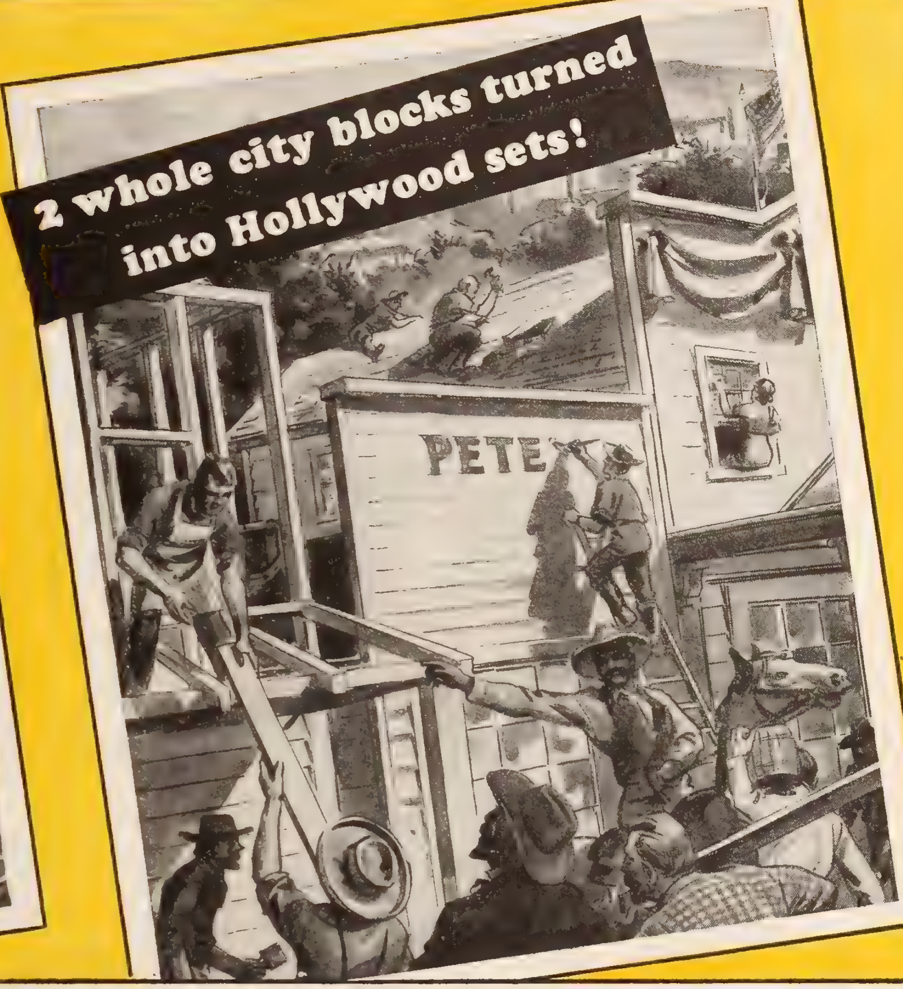
## Cecil B. DeMille's "UNION

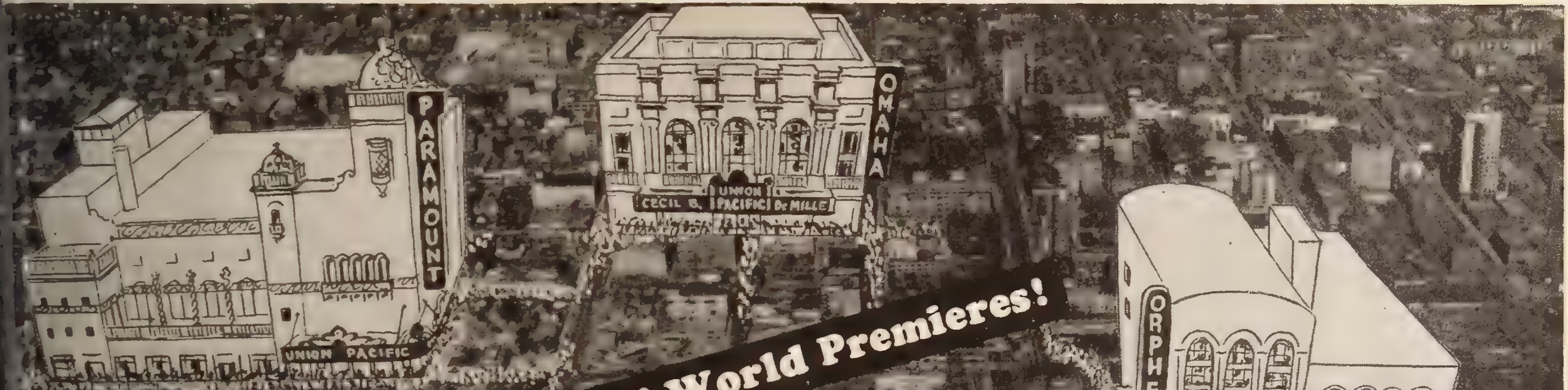
## and Joel McCrea with Akim Tamiroff

Produced and Directed by **CECIL B. DeMILLE** • Screen Play by Walter DeLeon, C. Gardner Sulli

# t in Picture History—
# ERICAN EPIC OF THEM ALL!


oo Nebraskans grow
pioneer whiskers!


2 whole city blocks turned
into Hollywood sets!


theatres stage "Union Pacific" World Premieres!

PARAMOUNT
UNION PACIFIC
OMAHA
CECIL B. UNION PACIFIC DeMILLE
ORPHEUM
UNION PACIFIC

AERIAL VIEW OF OMAHA, BY FAIRCHILD AERIAL SURVEYS, INC.

## FIC" *starring* Barbara Stanwyck

## ert Preston · Lynne Overman · Brian Donlevy

sky, Jr. • Based on an Adaptation by Jack Cunningham of a Story by Ernest Haycox • A Paramount Picture

## Foods Show Highest CBS Gain Over '35

Foods, food beverages, soaps and household supplies show composite gains on CBS up to 717 per cent over 1935, a breakdown of billing in those groups reveals. Foods and food beverages lead all other industries in total volume of expenditures, while soaps and household supplies show the greatest percentage of gains.

During 1938, food expenditures amounted to $6,596,827, a 110.7 per cent gain over 1935; soap expenditures totaled $3,077,079, a percentage increase over 1935 of 717.0. The combined expenditures for the two divisions for 1938 was $9,673,906, a 175.9 per cent increase.

An even sharper upcurve in these divisions appears likely for 1939 in view of the new food business recently secured by CBS. Among the new sponsors whose programs have already appeared, or will appear shortly, on CBS, are Campbell Soup with Amos 'n' Andy; Sealtest with "Your Family and Mine"; Bowey's "Swing Musical." Hormel, Knox, and Nehi are also among leading food advertisers who are starting campaigns on CBS.

## NAB Boston Group Meeting on May 11

Boston, April 26.—Meeting of the first district of the National Association of Broadcasters will take place in the Yankee Network studios May 11. The meeting will discuss important matters that have been under discussion by the national board for the past few months. Neville Miller, president of the N. A. B., will attend.

On the same date, a special meeting of the sales manager group of the first district will be held. Special speakers will be Robert F. Elder, director of research for Lever Bros., and Ken Backman, general manager of the Boston Better Business Bureau.

## Lewis to Spot Film

Leonard Lewis, formerly with the World Broadcasting System as salesman and editor of *World News*, and previously radio editor of *Printers Ink* publications, has joined Spot Film Productions as vice-president in charge of the radio and television division. Spot Film Productions make commercial and educational pictures and are now developing transcribed programs on film.

## Star Takes Universal

Star Radio Programs, Inc., has acquired the business of Universal Radio Programs, and will continue to carry the regular features of the former script organization for the 150 stations which have been broadcasting Universal's scripts. Among the programs acquired are "Human Angles in Sports," "Sports Quiz," "This Strange World."

## Bartell Joins CBS

Jack Bartell, personal artist representative, has joined the staff of CBS artists bureau, where he will specialize in personal appearance bookings, night clubs, vaudeville and club dates. Attractions handled by Hartell, including Hildegarde, Gloria Grafton and Chester Hale, will come under CBS management.

## 'Ham' Publicity

**"Grand Jury Secrets," forthcoming Paramount picture, is receiving some unique publicity free. Eugene Kearney, a radio "ham" operator, worked in the picture, and since then he has been talking via short-wave to "hams" all over the country, advising them of its excellence and of the release date of the film.**

## 4 - Day 'Pacific' Fete Under Way in Omaha

(*Continued from page* 1)

cific, will head a historical parade which will monopolize the downtown business section Friday morning. Jeffers has offered two expense paid trips to Hollywood and $100 in cash for the best retail window display on the premiere.

Thousands of visitors are thronging the city for the celebration. Civic functions will continue tomorrow and Friday and will reach a climax with the film's premiere at the Omaha Friday evening. Immediately after the first showing, the picture will go into the Orpheum and the Paramount for midnight shows, to make it a tri-theatre premiere.

## Appeals May Hold Up RKO Plan Until Fall

(*Continued from page* 1)

company's earnings which have been greatly benefited by a succession of good releases and an absence of heavy liquidation charges against high cost productions.

Irving Trust Co., RKO trustee, has designated Andrew Christensen to succeed A. H. McCausland as the trustee's representative in RKO. Christensen will be assisted by Garret Van Wagner, a member of the trustee's RKO staff for the past six years. McCausland, after six years at RKO, resigned from Irving Trust to become business manager of Famous Prod., the new Harry Eddington unit releasing through Universal. He leaves New York for the coast by automobile today with plans for beginning his new duties on the Universal lot about May. 10.

## 'Conquest' at Capitol

Republic's "Man of Conquest" opens today at the Capitol. "Dark Victory" grossed an estimated $100,000 in its first week at the Music Hall, where it is held over. "The Hardy's Ride High" grossed an estimated $20,000 in its second week at the Capitol.

## Renew Mark Warnow

Mark Warnow has been extended for another 13 weeks on the Lucky Strike "Hit Parade" over CBS. Contract is effective May 6. Warnow has just reached the end of a 13-week engagement. Lord & Thomas is the agency.

## Song Basis of Suit

Plagiarism suit against Warners, CBS, NBC, Marcus Loew Booking Agency and others has been filed in U. S. District Court by Joseph John Davila, charging his song, "If I Was a Spider and You Were My Fly," written in 1938, is infringed by "The Desert Song."

## New British Taxes Hit American Films

(*Continued from page* 1)

negative have been abolished. The new duty is six pence per foot for the first copy of imported negative or positive and two pence per foot for any subsequent copies. The increase clearly strikes at the current practice of importing lavender prints. It is anticipated that American companies as a result will stop shipping positives and ship only negatives, to be printed in England. Excise tax has been imposed on all British-manufactured positive of four pence, halfpenny per square foot. Sub-standard film and sound track is subject to a duty of two pence per foot.

The customs duty on blank film imports has been increased to nine pence per square foot. The alteration of this tax from the linear to the square foot basis means that the importer will pay a penny per foot instead of one-third of a penny a foot. Films produced here will pay approximately a half-penny per linear foot.

It is calculated it will increase British production costs by $4,000 to $5,000 per film, while the tax on imported raw stock is seen as stimulating local manufacture.

Simons estimates the new duties will increase revenues by about $4,000,000 for the current year, and more than $5,000,000 in a full 12-month period. The Chancellor declares the film duties are not levied for defense expenditure but to balance other concessions made in the budget. Theater and non-film entertainment are to be given a rebate, which means a cut in admission prices, ranging from a penny on the lowest priced tickets upward.

## Gold Questioned in Government Action

Government attempted to obtain admissions by Harry Gold, United Artists official, that it could secure higher rentals for pictures if it changed its method of distribution, but was prevented by objections raised by Edward C. Raftery, attorney for United Artists, at the hearing conducted yesterday by Seymour Krieger, Assistant Attorney General, in connection with the anti-trust suit against the eight majors.

Raftery also prevented answers to questions on what factors determined choice of first, second and third run houses. Edward Mullin also testified briefly. Hearings were adjourned for about a month, without fixed date, because of the United Artists convention next week.

## U. S. Chicago Suit Seen Facing Delay

Chicago, April 26.—Government suit against major companies and Balaban & Katz may not reach trial for several months, according to the present outlook. Attornevs met today with Master in Chancerv Edgard Eldredge to formulate plans for handling the suit.

First formal hearing will be held May 17 at which time defendants will be required to submit film contracts as evidence if Government subpoenas are upheld. Thousands of documents are involved and the Government will require many weeks to analyze them if Eldredge orders their production.

## Australia Films May Be in British Quota

**London, April 26.—Following approaches by the New South Wales premier concerning the exhibitors' quota for British films, the British Board of Trade has invited producers to a meeting to discuss the practicability of inclusion of Australian films. Possibly a limited percentag of Australian films will be in cluded in the British distributors' quota.**

## Says Local 37 Head Fixed Own Salar

Hollywood, April 26.—Allegi misuse funds by IATSE Local 3 John Gatelee, who with Frank Stric ling took over premises and affairs the local March 13 on order fro George Browne, president, testified superior court today that Joseph V Carpenter, chairman of the local boar had voted himself $150 weekly sala while two secretaries were voted $1 weekly.

Carpenter, who had testified earli was recalled to the stand and ask to explain why the local had wit drawn $10,000 from a bank.

The case will be continued tomo row.

## Korda Plans "Manon"

London, April 26.—Alexand Korda will direct Merle Oberon "Manon Lescaut," to be filmed color during the summer.

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# ill for U. S. Radio Station Again Offered

### atin America Link Urge In Chavez Measure

WASHINGTON, April 27.—Legisla-n providing for establishment of a vernment broadcasting station was introduced today by Senator Chavez, ew Mexico, to permit the United ates to broadcast to Latin America.

Similar legislation was introduced t year, but it was defeated after arings in which private broadcasters tified that they were adequately vicing the Latin Americas with ograms.

**Would Be Named "PAZ"**

The government station asked for Senator Chavez would have the l letters "PAZ," Spanish and Por-guese for "Peace."

The measure asks for an appropria-n of $3,000,000 for acquisition of nd, erection of buildings and instal-

(Continued on page 6)

# o Present Quigley Award Here May 16

Silver and Bronze Quigley Grand wards for 1938 in the exploitation ntest of Managers' Round Table epartment of MOTION PICTURE HER-D will be presented at the Hotel stor here on May 16. The winners e John Burhorn, manager of the ayety in South Chicago, silver, and eorge Limerick, city manager of the riffiths interests in Enid, Okla., onze.

The presentations will be preceded a luncheon given by Martin Quig-y honoring the winners, at which ading industry figures will be pres-t. As guests of MOTION PICTURE ERALD, the winners will arrive May for a week's stay. A full program entertainment has been arranged th the cooperation of the various m companies. In addition to special ncheons and dinners, visits to the orld's Fair and other places of in-rest are planned. The winners won eir honors at the annual Quigley rand Award judging on Feb. 7.

**"Union Pacific" and "Confessions of a Nazi Spy" are reviewed in this issue, pages 2 and 3.**

### *Theatres Here Hail Crews Bill's Defeat*

**Defeat of the Crews bill in the N. Y. Assembly was hailed by exhibitors and circuit executives yesterday. Allied Theatre Owners of New York, of which Max A. Cohen is president, played a leading role in acquainting members of the legislature with reasons for defeating the bill.**

# Reels Facing Crisis Under British Taxes

LONDON, April 27.—With trade concern intensified following a close study of the increased film taxes called for in the new budget of Sir John Simon, Chancellor of the Exchequer, the newsreels are faced with an immediate crisis unless the import revisions are adjusted.

The reels, acting in concert, have petitioned Sir John, and probably will see him tomorrow. Failing of an adjustment, it is believed certain of the units may suspend releases. However, it is thought that the Cabinet Minister will agree to adjust the duty as far as it concerns the importation of newsreels. One reel unit made an estimate of $1,250,000 as the additional annual cost to the reels under the new tax schedule, while another estimated the added cost at $500,000 a year, which would render continued activity uneconomic. Already considerable

(Continued on page 6)

# GOV'T BOMBARDS TRADE WITH SUITS

# Trust Suit Bill Fails to List Specific Acts

A 33-page bill of particulars in support of the Government's allegations against the industry in its pending anti-trust suit was filed in Federal District court here yesterday and failed to describe one specific act on the part of the defendants in violation of the anti-trust laws.

The bill, which was expected to be a detailed, factual statement setting forth instances of monopoly and conspiracy, as charged in the Government's complaint, failed to do so and was content to make the bland admis-

(Continued on page 6)

## *Warner, Morris to Visit South America*

Harry M. Warner, president of Warners, and Sam E. Morris, vice-president in charge of foreign activities, are scheduled to go to South America about July 1. They are also considering a trip to Australia.

Morris will devote more time to the Latin American market, with Robert E. Schless, Continental European manager, supervising all of Europe from London.

### *Opening Gun to Be Fired Today with Action in Oklahoma*

WASHINGTON, April 27.—The Department of Justice on Friday will open its anticipated "regional" campaign against the industry by filing the first of at least 10 equity actions aimed at the dissolution of large theatre circuits, independent as well as affiliated, it was disclosed today by Assistant Attorney General Thurman Arnold.

First action will be against Griffith Amusement Co. operating in Oklahoma, Texas and New Mexico, and the large distributors, and is expected to be followed at brief intervals by the filing of additional suits against large circuits in Chicago, Los Angeles, Dallas, New Orleans, Philadelphia, Cincinnati, Boston, Atlanta and elsewhere.

The "regional" circuit actions are regarded by the Department of Justice as an "essential complement" to the New York suit, which seeks the separation of affiliated circuits from the producing and distributing companies. The new suits are intended to break

(Continued on page 6)

# 20th-Fox 13-Week Net Is $1,224,250

Consolidated net operating profit of $1,224,250 for the 13 weeks ended April 1 is reported by 20th Century-Fox. This compares with $1,641,537 for the first 1938 quarter and $1,748,374 for the final quarter last year. National Theatres dividends are not included.

After allowing for preferred dividend, the quarterly balance is equivalent to 50 cents a share on the 1,741,896 common shares outstanding.

Gross income from sales and rentals totaled $14,283,813 in the quarter and expenses $13,081,067.

# *Film Advertising Is Out Of Date, List Tells Ampa*

Dr. J. S. List, consulting psychologist to NBC, Mutual and WMCA, criticized film advertising as outmoded in an address at the Ampa luncheon yesterday at the Astor.

Dr. List, who presents the "Psychology Behind the News" series Sunday over WMCA, said that the industry's advertising methods are as old as the industry itself and "nothing new" has been developed.

"In the matter of plumbing consumer reaction, radio is far ahead of the film business," he declared. "Broadcasters go into the home and check reactions. You cannot do a job as long as you fail to make the necessary surveys and tests to determine what will be acceptable to a majority.

"Viewing a film in a projection room away from an audience does not give the proper sense of proportion. You cannot condition the public any longer from your own point of view.

"Many film titles are bad psychology because they fail to take into account human emotions and conflicts. The proper psychological approach and a proper social attitude of the film industry toward the public would boost box-office receipts."

### *Turn Them Ahead*

**Remember to turn those timepieces *ahead* one hour, and not back, Sunday at 2 A.M., or as close to it as bedtime will permit. Then the clocks will be in shape until next September wherever Daylight Saving Time is observed.**

# Purely Personal

OSCAR DOOB, JOE PLUNKETT, TOM HAGGERTY, CHARLES CASANAVE, NANCY CARROLL, MAURICE BERGMAN, ERNIE EMERLING, JULES LEVY, HAL HORNE, BERT MYFACK, BILL FITELSON, MONROE GREENTHAL, LYNN FARNOL lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

JOE MOSKOWITZ, ARTHUR GOTTLIEB, JACK GOETZ, HERMAN BERNIE, JOE PINCUS, LOU BRECHER and E. M. SCHNITZER among those present at J. J. MILSTEIN'S farewell luncheon yesterday at the Tavern. MILSTEIN left for the coast yesterday.

•

MR. and MRS. LOUIS W. SCHINE were guests at the annual spring dinner-dance of the Schiners' Club of home office employes, at Neumann's, Saratoga. WILLIAM BENTON of the Benton-Schine Theatres also was a guest.

•

JACK ELLIS, SEYMOUR SCHUSSEL, MOE SANDERS, DAVE LEVY, SOL TRAUNER, JACK HATTEM and WILLIAM STEIN at Jack's restaurant yesterday attending the luncheon-meeting of the Motion Picture Associates' board.

•

FRANCES FARMER and LEIF ERIKSON have been granted a six-month extension of their leave of absence by Paramount because of play commitments on Broadway.

•

CLINT DAVIDSON, manager of Schine's Strand, Ogdensburg, N. Y., is ill, with FRANCIS LATTIN of the Watertown Palace filling in for him.

•

S. CHARLES EINFELD, director of advertising and publicity for Warners, leaves for the company's Burbank studios today with MRS. EINFELD.

•

ARTHUR RUSCICA, 20th Century-Fox managing director in Chile, sails tomorrow with MRS. RUSCICA on the *Quiriga* for Santiago.

•

MORRIS CARNOVSKY, Group Theatre actor, will do the narration for "The City," documentary film to be shown at the World's Fair.

•

A. G. DOYLE, manager for 20th Century-Fox in Japan, is due on the coast Sunday from Yokohama on the *President Coolidge*.

•

JOHN W. HICKS, Paramount foreign chief, lunched with FRED LANGE, continental European manager, at the Astor yesterday.

•

STANLEY HAND, Altec staff representative, has left for the national convention of Variety Clubs in Detroit.

•

WILLIAM LANDOW, owner of the Heights in Manhattan, has recovered from a pneumonia siege.

•

JOSEPH M. SCHENCK, 20th Century-Fox chairman of the board, is due from the coast early next week.

•

JOY HODGES leaves Sunday for the coast.

•

PHIL GOLDSTONE is here from the coast.

# New York Preview

## "Union Pacific"

(*Paramount*)

Blessed with the astute showmanship and cinematic genius of Cecil B. DeMille, both its producer and director, Paramount's "Union Pacific" will draw hearty box-office hurrahs from the country's exhibitors.

DeMille's pictures always have had the Midas touch, and "Union Pacific" is no exception. It is a monumental picture, one fully deserving of the adjectives generally reserved for exceptional films. It is a credit to DeMille and its well-chosen cast.

"Union Pacific," unfolds, though rather lengthily, the epic of railroad building after the Civil War, when the country beyond Chicago was an Indian-infested wilderness. It shows, with dramatic sweeping strokes, the hardships which befell hardy Irishmen who laid the wooden ties and nailed down the rails.

Barbara Stanwyck and Joel McCrea have the starring roles, and it is needless to say that they acquit themselves nobly. Miss Stanwyck appears with an Irish brogue as the daughter of a Union Pacific engineer and postmistress on the train as it follows 1,000 miles of newly-laid track to the California border. Joel McCrea, an ex-army man assigned to the job of "trouble shooter" on the railroad, possesses a pair of Joe Louis fists and a quick trigger finger.

The villainy of Brian Donlevy, abetted to a small degree by the chuckling Robert Preston, serves to keep the story cloaked with menace throughout. At the instigation of a multi-millionaire interested in the Union Pacific but still more interested in the Central Pacific railroad, Donlevy establishes a "hell on wheels," follows the Union Pacific builders and keeps the workmen drunk and unruly, thus delaying the construction of the railroad. The Union Pacific and Central Pacific are racing each other to finish their tracks first.

The film has many scenes of almost climactic power. The biggest one shows the Union Pacific train beset by a swarm of Sioux Indians. They wreck the train and pillage its cargo. How they use and regard their findings, such as bolts of cloth and corsets, is amusing. The only survivors of the wreck are Miss Stanwyck, McCrea and Preston. When everything looks the blackest for them, rescue comes.

Just as Union Pacific, the railroad, is a monument to the hardy pioneer builders of it, so is "Union Pacific," the film, a monument to Cecil B. DeMille's genius.

DeMille fused strong drama with pathos and well-spaced humor and out of the crucible has emerged a historical chapter in America's history for box-office millions to see vividly relived.

Running time, 135 minutes. "G."*

---

* *"G" denotes general classification.*

# Theatre Authority Spreads $50,000 Among Charities

Theatre Authority yesterday divided $50,000 among the various actors' organizations, to be used for charitable purposes. The $50,000 represents fees collected the past year by Theatre Authority from authorized benefit performances.

Theatre Authority, according to its administrator, Allen Corelli, has collected and distributed approximately $100,000 in the four years it has been in existence. At the present time, according to Corelli, more than $500,000 a year is spent for acts for benefit performances. Prior to formation of Actors Authority, club acts performed at benefits sans pay.

By a new agreement just entered into with the American Federation of Radio Artists, the Theatre Authority will be expanded nationward, under an arrangement whereby the various A.F.R.A. chapters will represent the Theatre Authority and collect fees for benefit performances in the various cities where A.F.R.A. chapters are maintained. At present A.F.R.A. has been organized in at least a dozen cities, including Chicago, Cleveland, Cincinnati, San Francisco, Los Angeles and Denver.

## Young Heads Pathe

Kenneth M. Young was elected president of Pathe Film Corp., in the place of O. Henry Briggs, at the first meeting of the newly elected board of directors. T. P. Loach was reelected vice-president and treasurer and M. M. Malone was reelected secretary.

## Join K. C. Cinema Club

KANSAS CITY, April 27. — New members of Cinema Club, young film and theatre men's organization here, are Walter Lambader, M-G-M; James Weakley, Republic-Midwest; Robert Conn and John Long, 20th-Fox.

## New Peace Plan

**Secretary of State Cordell Hull has been sent a copy of a winning "peace plan" in an M-G-M shorts contest for exhibitors. The idea, submitted by Ward B. Kreag of the Community, Catskill, N. Y., would require the heads of squabbling nations to view several hours of war films before declaring war or arbitrating their differences. Kreag will get a trip to Bermuda for the idea. Another winner was Tommy Howell, Bison Theatre, Dallas.**

## 'Union Pacific' Haile By Nebraska Senato

Opening of Paramount's "Unio Pacific" at Omaha today was note on the floor of the United State Senate yesterday by Senator Burk of Nebraska. Burke said the Ceci B. DeMille production was a "grea historical document as well as a outstanding piece of entertainment.' DeMille, George Raft, Lynne Overman and others will be in Omaha fo the opening. Among others on han for the premiere will be Mr. and Mrs John Balaban, who are flying fron Chicago, Newcomb Carlton, chairma of the board of Western Union an R. B. White, Western Union president.

## Warners' Shorts to Coast Studio Toda

Warners' shorts production will b removed officially today from the Vitaphone studio in Brooklyn to th Burbank studio. About the only activity in Brooklyn will be the production of 10 more "Color Parade" film by Ira Genet.

Jack Warner will supervise short production on the coast. Sam Sax formerly in charge of the Vitaphone studio, has arrived in England to direct Warners' Teddington studios. He was accompanied by Jack Henley writer. Cyrus Wood, Sr., and Joseph Henaberry, director, are scheduled to go over.

MOTION PICTURE
DAILY
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MOTION PICTURE
DAILY

# U.S. Commission to Study Spanish Field

An American film commission will o to Spain shortly to investigate the ossibilities of reopening the Spanish market for distribution, reported Fred Lange, Paramount Continental European manager, who arrived yesterday the *Conte di Savoia.*

Lange does not believe that the ommission will start its work until fter General Franco's "victory arade" in Madrid May 15. Heads f three American companies in Europe will constitute the commission.

Decision to send the envoys was made at a meeting in Paris attended Harold V. Smith, Hays office representative in Europe, and company managers. The commission will attempt to determine Government policies and with whom the industry will have to deal. Conferences will also deal with exchange and currency roblems.

Lange is here on his annual trip for onferences with John W. Hicks, genral foreign manager. He will be here bout four weeks.

Universal, Columbia, RKO and Jnited Artists are still operating in taly, despite the ENIC monopoly decree. The other four major companies re not operating in that country.

Lange said Paramount is remaining n Greater Germany.

## Nazi Spy' Is Opening Today at The Strand

"Confessions of a Nazi Spy" opens today at the Strand and "Return of he Cisco Kid" starts at the Roxy. "Wuthering Heights" continued strong at the Rivoli with an estimated gross of $36,000 in its second week. Third week of "Dodge City" brought an estimated $26,000 at the Strand. In its fourth week at the Roxy, "Story of Alexander Graham Bell" grossed an estimated $25,000. Following the 'Return of the Cisco Kid," opening of "Rose of Washington Square" is set for May 5. "Streets of New York" will bow in at the Globe tomorrow and "Trapped in the Sky" goes into the Central. "Boys' Reormatory" has also been booked for he Central.

Hitler's speech to the Reichstag will be used by Warners in advertising 'Confessions of a Nazi Spy." Newspaper ads are geared to the occasion, with copy depicting Der Fuehrer, in caricature, carrying a picket sign calling Warners "unfair."

## TMAT Elects June 12

Theatrical Managers, Agents & Treasurers' Union will hold its annual elections June 12, with two rival slates n the field. Nominated are Saul Abraham and Charles G. Stewart, for president; Dan Melnick, George Ashby, and William Fields, vice-president; James J. Murphy, secretary-treasurer; Morrie Seamon, Hal Olver, Clarence Jacobson and Joseph Grossman, busines agents.

## Reaffirm "Nation" Ban

MILWAUKEE, April 27.—Motion picture commission, at a rehearing on ts recent action banning "The Birth of a Nation," held at the request of Roy Aitken, Waukesha, Wis., one of he two brothers who own the film, reaffirmed its original action.

# New York Preview

## "Confessions of a Nazi Spy"

*(Warner Brothers)*

With consummate skill, the masters of Burbank have shaped a fresh and vigorous piece of entertainment which is, at the same time, a powerful anti-Nazi picture. The fullest exploitation possibilities are inherent in the title and there is name value in having Edward G. Robinson, as the FBI agent who uncovers the spy menace, and in Francis Lederer, amateur spy, around whom the story revolves.

This picture essentially is a spy drama. It is also propaganda—propaganda for the institutions and traditions of the United States of America. It is an argument for the creed which we believe and must defend and protect—Americanism.

This picture is destined to create an awareness for all America of the menace which is around us—and yet it is excellent show stuff to which only Nazi sympathizers will object. Everybody else will praise the film.

If there is a fault with the picture it is the lack of unity in the events depicted but this is cleverly offset by an off-screen narrative which knits together the widely separated spy incidents.

The picture is deserving of the fullest box-office support.

Characters are real so that the customary screen reminder about "fictional characters" is not found in the title-sheet of the picture; it is perhaps intentionally lacking, and rightly. The fact is that some of the individuals portrayed herein are still alive and for the most part are portrayed under their real names.

The story is no more than that which the newspapers have told of the arrest, indictment and trial of German spies. In substance, the picture is a review of events which have been chronicled by the press and herein invested with action and dialogue. Perhaps the revelations of meddling, bungling and fanatical Nazi action seem incredible, but it is this amazing character of the matter which evokes interest.

The film implies that such interference in the affairs of a friendly nation by Nazi bunds and foreign elements as is here depicted, as amateurish as it may appear, might nonetheless have brought diplomatic representations, under other conditions.

There is no villification of characters. No offense is shown even to the people of the guilty nation, but so well has the picture been made that it succeeds in depicting the Nazis as a small minority. It makes a clear-cut distinction between the regime and that which is Germany and the Germans.

It is expressed definitely in the picture that the excesses of the Nazis and the Gestapo are not the will of the German people. It distinguishes also between the small minority of hyphenated German-Americans and the large majority of those of German ancestry or birth who are opposed to Nazi methods and the Nazi creed.

The picture is photographed excellently and brilliantly cast. It has been directed expertly by Anatole Litvak. Milton Krims and John Wexley wrote the screenplay.

The Warners have taken no chances in preparing this film and even employed Leon G. Turrou, the former FBI agent, who handled the spy inquiry for Washington, as technical adviser.

In every branch, the characterizations have been carefully depicted. Above them all in point of quality is the depiction of Dr. Paul Joseph Goebels, Reichminister of Propaganda, by an actor whom Warners prefer to leave unidentified.

Paul Lukas, Francis Lederer, Lya Lys and George Sanders all do fine work.

Running time, 102 minutes. "G."* S. S.

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*"G" denotes general classification.*

## Circuit Theatre Tax Proposed in Florida

TALLAHASSEE,. FLA., April 27.—License tax for circuit theatres has been proposed to the Florida legislature by Representative Johnson. Tax would be levied on houses operated in Florida only but would be computed on the entire number owned in the country.

Proposed tax is $75 for each theatre in circuits of not more than five, $150 up to 15 and graduated upward to a maximum of $3,500 on each theatre in circuits of 80 or more.

## W.E. English Service Charge Cut Affirmed

LOONDON, April 27.—Statements issued today by the Cinematograph Exhibitors' Association and Western Electric confirm the service charge concessions indicated in MOTION PICTURE DAILY on March 16.—The concessions, ranging from two shillings to five shillings weekly, will be included in new leases.

The C. E. A. has withdrawn its recommendation for a boycott of Western Electric and suggests that members renew their contracts.

# RKO Cash Position Up $2,350,000 in '38 to $7,652,742

RKO's cash position improved by $2,350,000 during 1938, audited report of the company just completed reveals. Cash at Dec. 31, last, was $7,652,742, compared with $5,282,613 on Dec. 31, 1937.

Audited report showed net profit for 1938 of $18,604, contrasted with the trustee's estimate of net profit of $173,578, which was made public March 6. Difference is attributed to a $150,000 adjustment in claims between RKO and Rockefeller Center, which was credited in the trustee's report but withdrawn by the auditors. Profit for 1937 amounted to $1,821,166.

Income from theatre admissions, film rentals and sales in 1938 aggregated $56,275,419 and costs and expenses were $53,093,727. This compares with income of $52,921,033 the preceding year and costs and expenses of $47,692,247. Of the income item last year, film rentals accounted for $30,467,583 of the total and admissions for $22,951,936.

Current and working assets as of Dec. 31, 1938, amounted to $18,219,368 and current liabilities, excluding funded debt due in one year, amounted to $11,758,668. Inventories were $9,094,637 against $10,763,969.

Company gave notice yesterday that period for exchange of RKO's 10-year six per cent debentures for new six per cent cumulative convertible preferred stock under the reorganization plan expires May 1. Thereafter, exchange of the debentures will be for new preferred in part, and new common stock, in part, as specified in the plan.

## To Enforce Ticket Code

League of N. Y. Theatres, encouraged by a court decision upholding the ticket code, is making strenuous efforts to enforce the code after the start of the World's Fair. James F. Reilly, executive secretary, is polling the producers to find the best method of advising visitors that brokers are permitted a maximum advance of 75 cents on orchestra seats and 50 cents for balcony seats.

## Prices Cut for Fair On 3 B'way Shows

**In a bid for the patronage of visitors to the World's Fair, three Broadway producers are reducing their top prices for their musical attractions from $4.40 to $3.30. A rather novel exploitation of this reduction will be used when all three shows will use a single advertisement for the announcement. The musicals are George Abbott's "The Boys from Syracuse," Dwight Deere Wiman's "Stars in Your Eyes" and John C. Wilson's "Set to Music."**

**The Abbott office has adopted the Trylon and Perisphere on its placards for "The Boys from Syracuse," "The Primrose Path" and "What a Life."**

# TODAY AT TH

# CONFESSIONS OF

# NAZ

# THE PROUDEST
# THE MOTION P

**EDWARD G.**
**ROBINSON**

**FRANCIS LEDERE**
**George Sanders · Pa**
**Lukas · Henry O'Ne**
**Directed by**
**ANATOLE LITVA**

Screen Play by Milton Krims and John W
Based on materials gathered by Leon G. Tu
ace G-Man • A First National Picture

# N.Y. STRAND

# SPY

## ONTRIBUTION OF
## CTURE INDUSTRY!

**EVERYWHERE MAY 6**

To Continue the Terrific Pace Now Being Set by 'Juarez', 'Dodge City', 'Dark Victory'---the great work of

**WARNER BROS.**

# Government Opens Suit Bombardment With Action Today

*(Continued from page 1)*

up large regional circuits, on the one hand, and to prevent the continuance as independent entities, on the other hand, of large affiliated circuits which would be cut adrift from the producing and distributing companies in the event the department was successful in the prosecution of its New York suit.

### "Competitive Market"

If producers are barred from theatre operation, Arnold said, "they must have for themselves a competitive market of truly independent theatres in which to distribute their product" and must not be at the mercy of local monopolies which control the market in their particular areas. The objectives of the New York suit cannot be attained, he said, "so long as there exist chains of theatres exercising monopoly power in various sections of the country, even if the affiliation between such chains and parent companies is broken."

"To leave chain theatres in control of a market after their divestiture by major companies would be simply to substitute a number of local monopolies for the national monopoly which is now charged to exist," Arnold declared. "Such control would be equally disastrous to small, independent theatre owners."

The restoration of competitive conditions, he added, may require the rearrangement of corporate structures and ownership, which can be done only by civil decree.

### First of a Series

The action to be filed in the Federal District court for Western Oklahoma on Friday against the L. C. and R. E. Griffith theatre companies happens to be the first of the series to come "only because the investigation involving them happened to be completed first," it was said. In addition to Griffith Amusement, defendants named are Consolidated Theatres, Inc.; R. E. Griffith Theatre, Inc.; Westex Theatres, Inc.; Paramount, M-G-M Distributing Corp. of Texas, 20th Century-Fox of Texas and 20th Century-Fox Film, United Artists, Columbia, Loew's, RKO, Vitagraph and Universal.

Suit will allege that the defendant theatres are able to make blanket contracts for all desirable pictures without competing with local independent exhibitors. It will ask for their dissolution and the rearrangement of their properties under several independent corporations; for injunctive relief restraining the defendant circuits from negotiating joint contracts with distributors, restraining the distributors from making contracts except on a "local, competitive basis," and enjoining the defendant circuits from further acquisition "of additional theatres or financial interest therein."

## *Photographic Unit Here*

National Photographic Dealers' Association is holding its annual convention at the Astor. Motion Picture Division, U. S. Department of Agriculture, and Allied Non-Theatrical Film Association are participating. The meeting ends Sunday. Charles Bass of Chicago is president.

# Wis. Circuit Tax Measure Pushed

Madison, Wis., April 27.—Although exhibitors objected to the Alfonsi-Grobschmidt circuit theatre tax bill at a hearing before the Assembly Judiciary Committee here, the authors said they were planning a substitute to double the original tax schedule, which provides for an occupational tax ranging from $5 to $100 per theatre and a seat tax of from 1 to 15 cents per seat.

Appearing against the bill were C. W. Trampe, exhibitor; E. J. Brown, representing the State Conference of Electrical Workers; Gilbert Vandercook, Fox Wisconsin; Charles F. Puls, Jr., Standard Theatres; Stephen Thomas, Association of Stage Employees and Projectionists, and Mark Morgan, Eskin Theatres. They warned that excessive taxes would put the theatres out of business.

The Gawronski bill, relating to a board of examiners of persons engaged in the installation and maintenance of air-conditioning systems, has been introduced in the Senate Senate.

Pending in the Assembly is the Rubin bill, designed to give equal rights, regardless of race, creed, color or nationality, in public places, including theatres.

## *U. S. Radio Station Bill Again Offered*

*(Continued from page 1)*

lation of equipment, and seeks authorization for $100,000 a year for maintainance and operation.

Last week Motion Picture Daily exclusively reported that legislation for construction of a government international station to service the Latin Americas would be reintroduced in Washington at a near date. Following publication of the article, the networks provided data to this publication to show the comprehensive shortwave schedule they now are maintaining, which was published. The figures showed that NBC in unmixed Spanish, the languages of the population of the South Americas, was broadcasting more than twice the amount of news than Germany, Italy and Japan combined, with the CBS figures comparable.

## *Reels Facing Crisis Under British Taxes*

*(Continued from page 1)*

newsreel footage has been held in bond.

Producers also are seriously disturbed by the new tax on British film stock. Captain Richard Norton declared today it will put many out of business. Producers and distributors met today, and both are expected to make approaches to Sir John immediately.

The Association of Cine Technicians has asked the Chancellor to review the film stock tax, claiming it burdens the independent producer, and may result in necessary economies at the expense of employes. The organization foresees a decrease in work for British laboratories, as well.

# Bill of Particulars in Trust Suit Fails to List Specific Acts

*(Continued from page 1)*

sion that it did not know these details.

### Lists Names of Stars

Only to one item of the defendants' demands upon the Government to state times, places and names of participants to agreements furthering the conspiracies alleged against them, and whether these agreements were oral or written, did the Government name names. This was in reply to the demand for a list of stars who are under joint contract to more than one producer. Even in this instance the Government was unable to say whether the alleged joint contracts were the result of specific agreement or not.

Names cited as under contract to more than one of the defendants at some time since July 1, 1934, included Wallace Beery, said to have been simultaneously under contract to M-G-M and 20th Century-Fox; Gloria Blondell, Columbia and Warners; Claudette Colbert, Warners and Paramount; Melvyn Douglas, Columbia and M-G-M; Irene Dunne, Columbia, Paramount, RKO and Universal; Cary Grant, Columbia and RKO; Jean Hersholt, M-G-M and 20th Century-Fox; Edward Everett Horton, Universal and 20th Century; Boris Karloff, Universal and Warners; Edmund Lowe, 20th Century and Universal; Herbert Marshall, Paramount and RKO; William Powell, M-G-M and Warners; Edward G. Robinson, Columbia and Warners; Fred Stone, Paramount and RKO, and Gloria Stuart, 20th Century and Universal.

This was evidence of a system, the bill stated, of edging independent producers out of the services of the best talent and technical workers in the industry.

### Says Field Is Divided

Paramount, Loew's, RKO, 20th Century-Fox and Warners, the Government's bill stated, divided the exhibition field and extended preference to each other in each other's territory. The same charge was made in the Government's original bill of complaint filed last July and, instead of being particularized now, as expected, the Government contents itself with the admission that it is unable to name the times, places and participants to agreements of this kind.

Through the exchange of the alleged preferences in each others' exhibition territory, the bill asserts, independent product was excluded from affiliated theatres and distributors, were thereby enabled to impose "harsh, onerous practices" on unaffiliated theatres, such as block booking, forcing of shorts and newsreels, overbuying, unreasonable film rentals and other oft-repeated complaints. No particulars are supplied to support the assertion.

### Cites "Split" Weeks

In metropolitan areas where the defendants operate competing theatres, the bill said, "split" product deals were arranged to prevent competition for films. Again, the Government admits that it does not know times, places and names of parties involved in such deals; that it knew of no specific contracts between the defendants to exclude independent product from their theatres. It cited long-term franchises, however, as a factor tending to keep independent and foreign product from getting playing time in affiliated theatres.

## *Why, Mr. Steffes!*

**Minneapolis, April 27.—The irrepressible Al Steffes has named a national transportation committee for Allied States' annual convention, to be held here June 13-15. On the committee are Ed Kuykendall and every member of the board of directors of M. P. T. O. A.**

**On the committee, in addition to Kuykendall, Steffes named H. V. Harvey, San Francisco; Milton C. Moore, Florida; Morris Leonard, Chicago; Sam Pinanski, Boston; R. X. Williams, Oxford, Miss.; R. R. Biechele, Kansas City, Kan.; Fred Wehrenberg, St. Louis; George Dembow and George Skouras, New York; Morris Loewenstein, Oklahoma City; Lewen Pizor, Philadelphia; A. Julian Brylawski, Washington.**

### Extend Benefits

All eight distributors extend benefits to the affiliated circuits, such as sharing advertising costs, optional contracts, contract modifications, overage and underage, cancellation and move-overs, but times, places and names, again, were said to be unknown to the Government.

Since 1916 the large producers have been embarked on a policy of gradually decreasing the number of feature pictures, but the Government does not know whether this was done by mutual agreement.

The bill does not apply to Columbia or United Artists, since they have made application for separate bills. The document was signed by John T. Cahill, U. S. District Attorney; Thurman Arnold, Assistant Attorney General; Paul Williams, Robert L. Wright, John F. Clodgett, J. Stephen Doyle, Jr., Shelby Fitze, special assistant attorney general, and Seymour Krieger and Seymour Simon, as special attorneys.

The Government filed application yesterday for a modification of Federal Judge William Bondy's order directing filing of a bill of particulars to release it from the necessity of furnishing the names of witnesses and expressed the fear, if names were furnished, that witnesses might be "intimidated by the defendants." Hearing will be held on May 5 on the application.

## *Sunday Show Bill Passed*

Albany, April 27.—The Senate today passed the Owens bill providing for a Sunday show referendum in villages. The Coudert bill vesting theatre ticket sale control in city license commissioners moved to third reading.

## *Lab Union Ball May 6*

First annual entertainment and ball of M. P. Laboratory Technicians' Union, Local 702, will be held at Manhattan Center, May 6.

# NOW!

# Capitol

THEATRE - BROADWAY · N.Y.C.

**THE *MIGHTIEST* DRAMA SINCE "CIMARRON" STORMED THE SCREEN!**

# MAN OF CONQUEST

with **RICHARD DIX · GAIL PATRICK · EDWARD ELLIS · JOAN FONTAINE**

AWARDED THE PARENTS' MAGAZINE MEDAL FOR THE BEST PICTURE OF THE MONTH FOR FAMILY AUDIENCES!

THE PARENTS' MAGAZINE MEDAL
AWARDED TO "MAN OF CONQUEST"
MOVIE OF THE MONTH FOR FAMILY AUDIENCES

*HESE IMPORTANT KEY CITY ENGAGEMENTS FOLLOW IMMEDIATELY*

| | |
|---|---|
| RNER | MEMPHIS, TENN. |
| ANAY | EL PASO, TEXAS |
| RVA | NORFOLK, VA. |
| WER | KANSAS CITY, MO. |
| JBERT | CINCINNATI, OHIO |
| LONIAL | DAYTON, OHIO |
| JEBIRD | PETERSBURG, VA. |
| K | SPOKANE, WASH. |
| VIN | PITTSBURGH, PA. |
| RAMOUNT | SAN FRANCISCO, CAL. |
| TH'S | BALTIMORE, MD. |
| K | PHILADELPHIA |
| HIEHLE | PARKERSBURG, W. VA. |
| CALIFORNIA | SAN JOSE, CALIF. |
| CALIFORNIA | STOCKTON, CALIF. |
| PALOMAR | SEATTLE, WASH. |
| SENATOR | SACRAMENTO, CALIF. |
| EMPIRE | BIRMINGHAM, ALA. |
| CAPITOL | MARSHALLTOWN, IOWA |
| METROPOLITAN | WASHINGTON, D. C. |
| PARAMOUNT | ATLANTA, GA. |
| ROOSEVELT | CHICAGO, ILL. |
| ORPHEUM | TULSA, OKLA. |
| DOWNTOWN AND HOLLYWOOD | LOS ANGELES, CALIF. |
| SAENGER | NEW ORLEANS, LA. |
| STATE | OKLAHOMA CITY, OKLA. |
| IMPERIAL | CHARLOTTE, N. C. |
| MAJESTIC | WICHITA FALLS, TEXAS |
| PARAMOUNT AND FENWAY | BOSTON, MASS. |
| ORPHEUM | WATERLOO, IOWA |
| AZTEC | SAN ANTONIO, TEXAS |
| CENTURY | ROCHESTER, N. Y. |
| LAFAYETTE | BUFFALO, N. Y. |
| IOWA | CEDAR RAPIDS, IOWA |
| MAJESTIC | DALLAS, TEXAS |
| WORTH | FORT WORTH, TEXAS |
| EARLE AND AMBASSADOR | WASHINGTON, D. C. |

Republic — THE INDEPENDENT MAJOR COMPANY

# ‘Graham Bell’ $29,300 in 2 L.A. Theatres

Los Angeles, April 27. — “The Story of Alexander Graham Bell” and “Kid from Texas,” scored a total of $29,300 at two houses, $13,000 at the Chinese and $16,300 at Loew’s State.

“Wuthering Heights” and “Torchy Runs for Mayor” took $14,500 at the Warner Hollywood and $12,200 at the Warner Downtown.

Estimated takings for the week ending April 26:

**“The Story of Alexander Graham Bell” (20th-Fox)**
**“Kid from Texas” (M-G-M)**
CHINESE — (2,500) (30c-75c) 7 days. Gross: $13,000. (Average, $12,500)
**“Prison Without Bars” (U. A.)**
4 STAR—(900) (40c-55c) 5 days, 3rd week. Gross: $1,500. (Average, $3,250)
**“The Story of Vernon and Irene Castle” (RKO)**
**“Society Smugglers” (Univ.)**
HILLSTREET—(2,700) (30c-65c) 7 days, 3rd week. Gross: $6,500. (Average, $6,500)
**“The Story of Alexander Graham Bell” (20th-Fox)**
**“Kid from Texas” (M-G-M)**
LOEW’S STATE—(2,500) (30c-75c) 7 days. Gross: $16,300. (Average, $14,000)
**“The Story of Vernon and Irene Castle” (RKO)**
**“Exposed” (Univ.)**
PANTAGES—(3,000) (30c-65c) 7 days, 3rd week. Gross: $5,800. (Average, $7,000)
**“The Lady’s from Kentucky” (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: Erik Rhodes, Judy Starr, F. & M. revue. Gross: $12,500. (Average, $18,000)
**“Wuthering Heights” (U. A.)**
**“Torchy Runs for Mayor” (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $14,500. (Average, $14,000)
**“Wuthering Heights” (U. A.)**
**“Torchy Runs for Mayor” (W. B.)**
WARNER BROS. (DOWNTOWN — (3,400) (30c-65c) 7 days. Gross: $12,200. (Average, $12,000)

# ‘Castles’ Draw Good $9,700 Buffalo High

Buffalo, April 27.—Dualed with “Twelve Crowded Hours,” “The Story of Vernon and Irene Castle” earned $9,700 at the Great Lakes.

“Dodge City” in the second week at the Hippodrome, drew $7,400. “Three Smart Girls Grow Up,” clicked with $7,000 at the Lafayette. The weather was cold and wet.

Estimated takings for the week ending April 22:

**“Midnight” (Para.)**
BUFFALO—(3,000) (30c-55c) 7 days. Gross: $11,900. (Average, $12,000)
**“The Story of Vernon and Irene Castle” (RKO)**
**“Twelve Crowded Hours” (RKO)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,700. (Average, $7,500)
**“Dodge City” (W. B.)**
**“Sudden Money” (RKO)**
HIPPODROME—(2,500) (25c-40c) 7 days, 2nd week. Gross: $7,400. (Average, $6,800)
**“Blackwell’s Island” (W. B.)**
**“Mr. Moto’s Last Warning” (20th-Fox)**
CENTURY—(3,000) (25c) 7 days. Gross: $7,200. (Average, $6,000)
**“Three Smart Girls Grow Up” (Univ.)**
**“Homicide Bureau” (Col.)**
LAFAYETTE—(3,300) (25c) 7 days, 2nd week. Gross: $7,000. (Average, $6,300)

## *Davie Quits M-G-M*

Hollywood, April 27. — Frank Davie, M-G-M producer, whose contract has until 1940 to run, has asked for and received a release, planning to continue writing with his wife, Tess Schlessinger. He had been assistant to Bernard Hyman.

## *In Two Versions*

**Jack Skirball is producing “The Miracle on Main Street” in two versions. The English version will be released by Grand National as the third film of Skirball’s schedule. There will be a Spanish language version, which will be distributed by 20th Century-Fox. Margo, native of Mexico, will star. The film is in production in Hollywood.**

# ‘Alexander Bell’ Cleveland’s Best, Grossing $18,000

Cleveland, April 27.—“Alexander Graham Bell” at the RKO Palace with a five-act vaudeville bill headed by Hugh Herbert, took top rank with $18,000.

“Made for Each Other” ran a close second at Loew’s State with $11,500. “Let Freedom Ring” at Loew’s State came through with $4,500, while the second week of “Dodge City” at Warner’s Hippodrome took $10,000.

Estimated takings for the week ending April 21:

**“Let Us Live” (Col.)**
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $3,000. (Average, $4,000)
**“Dodge City” (W. B.)**
WARNERS’ HIPPODROME — (3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)
**“The Story of Alexander Graham Bell” (20th-Fox)**
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Five acts vaudeville, with Hugh Herbert headliner. Gross: $18,000. (Average, $15,000)
**“Made for Each Other” (U. A.)**
LOEW’S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $11,500. (Average, $11,000)
**“Let Freedom Ring” (M-G-M)**
LOEW’S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $4,500. (Average, $4,000)

# *“Mikado” Pulls Big $9,000 in Montreal*

Montreal, April 27. — “The Mikado” earned $9,000 at Loew’s as the leading attraction.

“Yes, My Darling Daughter” and “On Trial” at the Capitol registered $8,500, while “Four Girls in White,” on a dual bill at the Princess, did $6,000. Second week of “Love Affair” accounted for $6,500 at the Palace.

Estimated takings for the week ending April 22:

**“Yes, My Darling Daughter” (W. B.)**
**“On Trial” (W. B.)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $8,500. (Average, $8,000)
**“The Mikado” (Univ.)**
LOEW’S—(2,800) (30c-40c-60c) 7 days. Gross: $9,000. (Average, $7,000)
**“Prison Without Bars” (U. A.)**
**“Nancy Drew, Detective” (W. B.)**
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)
**“Love Affair” (RKO)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $10,000)
**“Four Girls in White” (M-G-M)**
**“The Lone Wolf Spy Hunt” (Col.)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $6,000. (Average, $6,500)

## *Honor Bill Warner*

Kansas City, April 27.—Variety Club here will honor Bill Warner, formerly manager of Warners here many years, with a dinner May 1. Warner is going to the coast.

# ‘Offenders,’ Boles Best in Milwaukee With $11,800 Gross

Milwaukee, April 27.—“First Offenders,” and John Boles in person, collected $11,800 at the Riverside for the week’s high. “Broadway Serenade” and “Inside Story” at Fox’s Wisconsin grossed $8,000, while “Dodge City” and the “Adventures of Jane Arden” did $4,000 in the six days of their second week at the Warner.

Estimated takings for the week ending April 19-20:

**“Dodge City” (W. B.)**
**“The Adventures of Jane Arden” (W. B.)**
WARNER—(2,400) (35c-50c) 6 days, 2nd week. Gross: $4,000. (Average, $4,500)
**“Midnight” (Para.)**
**“Persons in Hiding” (Para.)**
PALACE—(2,400) (35c-50c) 8 days. Gross: $4,200. (Average, $4,000)
**“First Offenders” (Col.)**
RIVERSIDE—(2,300) (25c-30c-40c) 7 days. Stage: John Boles. Gross: $11,800. (Average, $5,000)
**“The Story of Alexander Graham Bell” (20th-Fox)**
**“Everybody’s Baby” (20th-Fox)**
STRAND—(1,400) (35c-50c) 7 days. Gross: $2,000. (Average, $2,000)
**“Broadway Serenade” (M-G-M)**
**“Inside Story” (20th-Fox)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $8,000. (Average, $5,500)

# ‘Castles’ $8,700 Strong in Seattle

Seattle, April 27.—“The Story of Vernon and Irene Castle” at the Fifth Avenue was best here, taking a strong $8,700.

The second week of “Dodge City” at the Orpheum was good for $5,400. Major Bowes’ unit on the Palomar stage boosted the take at that house to $6,200.

Estimated takings for the week ending April 22:

**“Three Smart Girls Grow Up” (Univ.)**
**“Society Smugglers” (Univ.)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 3rd week. Gross: $3,100. (Average, $4,000)
**“Vernon and Irene Castle” (RKO)**
**“The Saint Strikes Back” (RKO)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $8,700. (Average, $7,000)
**“Yes, My Darling Daughter” (W. B.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 2nd week. Gross: $3,900. (Average, $4,000)
**“Dodge City” (W. B.)**
**“Winner Takes All” (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)
**“Gambling Ship” (Univ.)**
**“Cipher Bureau” (G. N.)**
PALOMAR—(1,500) (15c-25c-35c-40c) 7 days. Major Bowes’ unit on stage. Gross: $6,200. (Average, $5,000)
**“Sergeant Madden” (M-G-M)**
**“Everybody’s Baby” (20th-Fox)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $6,100. (Average, $6,000)

# *Church of England Forms Review Unit*

London, April 27.—A special film review unit sponsored by the Archbishops of Canterbury and York has been set up by the Church of England. It will consist of Anglican clergy and laymen under the chairmanship of Canon G. D. Barker.

The group will view films and classify them for suitability for showing in Anglican churches, halls or schools and, further, will act in an advisory capacity on the production and use of films for religious ends.

# ‘Madden’ Hits High $27,000 In Pittsburgh

Pittsburgh, April 27.—Fred Waring’s Pennsylvanians and “Sergea[illegible] Madden” polled an excellent $27,[illegible] at the Stanley. “East Side of Heaven drew $5,500 at the Fulton in its second week, “Love Affair” $14,600 a Loew’s Penn, and “Dodge City’ $10,000 at the Warner in the secon week.

Estimated takings for the week ending April 21:

**“Three Smart Girls Grow Up” (Col.)**
ALVIN—(1,900) (25c-35c-50c) 7 days, 2n week. Gross: $12,800. (Average, $7,000)
**“East Side of Heaven” (Univ.)**
FULTON—(1,700) (25c-40c) 7 days, 2n week. Gross: $5,500. (Average: $5,000)
**“Love Affair” (RKO)**
LOEW’S PENN—(3,600) (25c-35c-50c) days. Gross: $14,600. (Average. $15,000)
**“Magnificent Obsession” (Col.) (Reissue)**
**“Mr. Moto on Danger Island” (20th-Fox**
SENATOR—(2,000) (25c-40c) 7 days Gross: $3,300. (Average, $3,800)
**Sergeant Madden” (M-G-M)**
STANLEY—(3,600) (25c-40c-60c) 7 days Stage: Fred Waring’s Pennsylvanians Gross: $27,000. (Average, $17,000)
**“Dodge City” (W. B.)**
WARNER—(2,000) (25c-40c) 7 days, 2n week. Gross: $10,000. (Average, $4,500)

# ‘Detroit City,’ at $20,000 Gross Is Detroit Sensatio

Detroit, April 27.—The Michiga led the field with “Dodge City” an “Society Lawyer,” taking $20,000 t break the house record since the started using double features. “Lov Affair” also had a good week, givin the Fox $23,000. The United Artist with “Broadway Serenade” too $10,000.

Estimated takings for week endin April 20:

**“Three Smart Girls Grow Up” (Univ.)**
**“12 Crowded Hours” (Para.)**
ADAMS—(1,700) (15c-40c) 7 days, 3r week. Gross: $5,000. (Average, $5,000)
**“Love Affair” (RKO)**
FOX—(5,000) (20c-65c) 7 days. Stage Eddy Peabody and acts. Gross: $23,00 (Average, $20,000)
**“Dodge City” (W. B.)**
**“Society Lawyer” (M-G-M)**
MICHIGAN—(4,000) (20c-65c) 7 day Gross: $20,000. (Average, $10,000)
**“Midnight” (Para.)**
**“Streets of New York” (Mono.)**
PALMS-STATE—(3,000) (15c-50c) 7 day Gross: $8,000. (Average, $5,000)
**“Broadway Serenade” (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) days. Gross: $10,000. (Average, $10,000)

# *Basil Bros., Dipson Take 3 Shea House*

Buffalo, April 27.—Three house have been transferred from the She Amusement Co. to a partnership com posed of Basil Brothers, Buffalo, an Nikatas Dipson, Batavia, N. Y. Th houses are the Century, downtow house here; Bailey, neighborhood, an Riviera, North Tonawanda.

The sale included the Baley Buil ing, with 10 stores and a bowlin alley, in addition to the 1,900-se house. The Century seats 3,000 an the Riviera 1,400. The Century wa sold outright and the other two wi be taken on a lease beginning Aug. when the Shea lease expires. T Basil Bros. operated 11 houses.

# WIDE ACCLAIM FOR ALL THREE

SETTING new standards of quality and performance, Eastman's latest negative films have met with instant approval. Each makes its special contribution . . . fast, fine-grained *Plus-X*, for general studio work . . . high-speed *Super-XX*, for all difficult exposures . . . ultra-fine-grained *Background-X*, for backgrounds and all-round exterior work. All three offer the high reliability and photographic quality typical of Eastman sensitized materials. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

**EASTMAN *Plus-X . . .***
***Super-XX . . . Background-X***

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| March 24 | Whispering Enemies<br>(G) (D)<br>*Jack Holt*<br>*Dolores Costello* | Sergeant Madden<br>(G) (D)<br>*Wallace Beery* | | Midnight<br>(G) (C)<br>*Colbert*<br>*Ameche*<br>3828 | | Trouble in Sundown<br>(G) (O)<br>*O'Brien* | Everybody's Baby (A) (C)<br>(*Jones Family*) | | Three Smart Girls Grow Up<br>(G) (C)<br>*Deanna Durbin*<br>*Winninger* | Blackwell's Island<br>(G) (D)<br>*Garfield*<br>*Rosemary Lane* |
| March 31 | North of the Yukon<br>*Starrett*<br>Romance of Redwoods (O)<br>*Bickford* | Society Lawyer<br>(A) (D)<br>*Pidgeon*<br>*Bruce*<br>*Carrillo* | | Sudden Money<br>(G) (C)<br>*Ruggles*<br>Silver on the Sage<br>*William Boyd* | Mexicali Rose<br>(O)<br>*Gene Autry* | Almost a Gentleman<br>(G) (D)<br>*James Ellison* | Hound of the Baskervilles<br>(G) (D)<br>*Greene*<br>*Rathbone* | | Family Next Door (G) (C)<br>*Hugh Herbert*<br>*Joy Hodges* | On Trial<br>(G) (D)<br>*John Litel*<br>*Margaret Lindsay* |
| April 7 | The Lady and the Mob<br>(G) (C)<br>*Fay Bainter*<br>*Ida Lupino* | Broadway Serenade<br>(G) (M)<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | Undercover Agent<br>*Russell Gleason*<br>*Shirley Deane* | I'm From Missouri<br>(G) (C)<br>*Bob Burns*<br>3830 | | Love Affair<br>(G) (D)<br>*Boyer*<br>*Irene Dunne*<br>Flying Irishman<br>(G) (D) | Mr. Moto in Danger Island<br>(G) (D)<br>*Lorre*<br>*Hersholt* | | East Side of Heaven<br>(G) (C)<br>*Bing Crosby*<br>*Joan Blondell* | Dodge City<br>(G) (D)<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* |
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas<br>*Denis O'Keefe*<br>*Rice* | Streets of New York<br>(G) (D)<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders<br>(O)<br>*John Wayne* | They Made Her a Spy<br>(G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell<br>(G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights<br>(A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | Code of the Streets<br>(G) (D)<br>*Harry Carey*<br>*Frankie Thomas* | Women in the Wind<br>(G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High<br>(G) (C)<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven<br>(G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express<br>(G) (O)<br>*Roy Rogers* | Fixer Dugan<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | Zenobia<br>(G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | Big Town Czar<br>(G) (D)<br>*MacLane*<br>*Ed Sullivan* | Dark Victory<br>(G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare<br>(G) (D)<br>*Lionel Barrymore*<br>*Lew Ayres* | | The Lady's from Kentucky<br>(G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men<br>(G) (D)<br>Blue Montana Skies (O) | The Story of Vernon and Irene Castle<br>(G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid<br>(G) (D)<br>*Baxter*<br>Climbing High<br>*Matthews* | | | You Can't Get Away With Murder<br>(G) (D)<br>*Bogart* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Three Texas Steers (O)<br>*Three Mesquiteers* | Sorority House<br>(G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger<br>(G) (D)<br>*Foster*<br>*Lynn Bari* | Captain Fury<br>*Aherne*<br>*McLaglen* | For Love or Money<br>*June Lang*<br>*Robert Kent* | Confessions of a Nazi Spy<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley<br>(G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | | Some Like It Hot<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Man of Conquest<br>(G) (D)<br>*Richard Dix* | Panama Lady<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor<br>(G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>*Barthelmess* | It's a Wonderful World<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter* | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>*Reginald Owen* | | Racketeers of the Range (O)<br>*O'Brien* | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | Missing Daughters<br>*Arlen*<br>*Marian Marsh* | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly* | Across the Plains<br>*Jack Randall* | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | | The Dove<br>*Steffi Duna*<br>*Carrillo*<br>*Tim Holt* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | | The Sun Never Sets<br>*Fairbanks, Jr.*<br>*Rathbone*<br>*Virginia Fi* | Code of the Secret Service<br>*Reagan*<br>*Towne* |

# Press Urged To Cooperate With Radio

Newspaper publishers were urged to cooperate with radio, particularly in public service enterprises, by the Radio Committee of the American Newspaper Publishers Association, reporting yesterday at the Waldorf Astoria.

However, the committee scored the radio practice of selling news as sponsored programs. The viewpoint of the committee is that advertising sponsorship of news reports constitutes a "questionable practice." Failure of the broadcasters to accept presentation of the news as a public service purely, constitutes "a weakness in their otherwise strong claim for greater institutional security, and for increased freedom from bureaucratic control."

### 37 Per Cent Paid for Programs

Commenting on the attitude of newspapers toward the handling of radio programs as free matter, the committee stated of newspapers reporting this year (995 not owning or being affiliated with broadcasting stations) some 387, or 37 per cent of the total, stated that they published radio programs as paid matter only. Of newspapers reporting last year, 235 not owning or being affiliated with radio, stated their policies relating to the printing of programs and program publicity. Only 33 of the 235, or 14 per cent, reported exclusion of radio programs, except as paid matter.

Reporting on television, the committee stated that it had witnessed a number of demonstrations, and that it was "impressed with the technical excellence of television" on the eve of its public trial. However, the committee recognized the difficulties facing television in a nationwide expansion, because of the 50 mile distance limitations. On facsimile, the committee reported it was "without notable developments" to date.

### 732 Stations Operating

The committee gave a complete breakdown of newspaper affiliation in radio. The figures show a total of 732 licensed stations operating now, of which 229 are accredited as newspaper owned or newspaper affiliated. Last year there were 728 stations in operation, with 211 reported as newspaper owned or affiliated. Of 37 new stations whose permits have been granted by the F.C.C., 13 are understood to be of newspaper ownership or control, while six stations now in existence are said to be under option for sale to newspapers.

J. S. Gray, publisher of the Monroe *Evening News*, is chairman of the Radio Committee.

## *New CBS Series Set*

New dramatic series as yet untitled will be broadcast over 52 stations of the CBS web Sundays from 10 to 10:30 P. M. starting May 21 for Procter & Gamble. Elliott Lewis and guest stars will comprise the show. H. W. Kostor & Sons is the agency. This is the seventh program sponsored by P. & G. over CBS. Program will originate from WBBM in Chicago.

# Radio Coverage of World's Fair Cut By Charge Dispute

With the opening of the World's Fair just two days removed, it appears that radio will play a much smaller part in covering Fair activities that was at first supposed. A checkup with the networks and the local New York stations reveals that beyond rather extensive coverage of the opening day ceremonies, scarcely any programs have been booked.

It appears that the cause is a dispute between the stations and the World's Fair management, as to which shall pay the line charges. Stations are taking the attitude that the Fair management should pay these line charges in view of the valuable exploitation radio will render the Fair in broadcasting its events. The Fair management to date is adamant that the stations bear the line charges themselves.

Another cause, particularly as it affects musical pickups, is a difference as to who shall pay the $3 per hour per man tax that the musicians' union demands for remote pickups. For remote band pickups from cafes and hotels, the tax is paid usually by either the cafe or hotel owner, or the bandleader.

## *Wood Will Replace Fleming for 'Wind'*

HOLLYWOOD, April 27.—Reportedly on advice of his physician Victor Fleming will withdraw from direction of "Gone With the Wind" next Monday with Sam Wood, who recently finished "Goodbye Mr. Chips," taking over on an announcedly temporary basis. The studio said Fleming will resume the following Saturday or Monday. At the same time the studio said four units will be working on the picture within a week, the other three under Chester Franklin, William Cameron Menzies and Richard Rosson. Fleming replaced George Cukor as director following consummation of the deal under which M-G-M will distribute the picture.

## *CBC Appoints Gilchrist*

MONTREAL, April 27.—C. W. Gilchrist, former managing editor of the Saint John *Times-Globe* and *Telegraph-Journal,* has been appointed regional representative of the Canadian Broadcasting Corp, press and information bureau, with headquarters in Halifax. The move is part of CBC's maritime development plan which got under way early this month with the opening of the new 50,000-watt transmitter, CBA, at Sackville.

## *Webs Air Hitler Speech*

Networks opened earlier than usual this morning to carry Chancellor Adolf Hitler's answer to President Roosevelt in his speech before the Reichstag. All the networks followed the address by presenting speakers from various parts of the world offering the reactions to the speech in the various capitals. The commentaries came from Washington, London, Paris, Rome, Geneva, Warsaw, Brussels, Holland and Moscow.

# Bell System's Fair Exhibit Inspected

First formal inspection trip of the Bell System exhibit at the World's Fair was attended yesterday by about 200 executives, engineers and newspapermen. Prior to the exhibit, the party was given a luncheon at the Hotel New Yorker. The Bell Exhibit Building, which is not yet complete, occupies a three and a half acre site immediately adjacent to the Trylon and Perisphere.

A robot with a mechanical voice attracted most attention. Many devices which will invite audience participation were also inspected. Among these are a long distance demonstration (with visitors making free calls home), a telephone with a playback for the speaker to hear, hearing and tone detection tests, and a museum of historical and modern telephonic equipment. One section will have groups of visitors making conversation, with mannequins later reenacting the conversation by use of sound recording equipment.

Among those attending yesterday's demonstration were Walter S. Gifford, president of A. T. & T.; T. K. Stevenson, president of Erpi; J. C. Kilpatrick, president of N. Y. Telephone Co.; F. B. Jewett, president of Bell Telephone; C. G. Stoll, executive vice-president of Western Electric; Karl Whitmore and Victor E. Cooley, vice-presidents of N. Y. Telephone Co.; John Mills of Bell Laboratories; P. L. Thompson, W. E. director of public relations, and George Wellbaum, general information manager of N. Y. Telephone.

## *I.A.T.S.E. Non-Suit Motion Up Monday*

HOLLYWOOD, April 27. — Developments in countersuits of I.A.T.S.E. and Studio Technicians Local 37 over control of the studio unit today were the introduction of testimony purporting to show dissipation of funds by Local officers; Ed. Heim, financial secretary of Local ousted with Carpenter, told court of various salaries voted by board of governors to themselves and others. Court adjourned until Monday when non-suit motion will be argued.

Judge Wilson, who had repeatedly warned Attorney Rose about court outbursts, fined him $5 for contempt following continued interruption of witnesses' answers.

## *Houses Exempt from English Defense Bill*

LONDON, April 27.—English film trade will be affected by the new Civil Defense Bill now before Parliament. The bill calls for the fortifying and strengthening of commercial buildings against air raids, and applies to all places where more than 50 employes are on the payroll.

Theatres and places of entertainment are exempt, but distributor offices and the headquarters of most firms in the industry will be involved. The bill compels the provision of air raid shelters, the cost of which will not be allowed on income tax, but a grant will be made which will be equal to the tax on the amount spent.

# Du Mont to Develop Tube and Television, SEC Report Shows

WASHINGTON, April 27.—The prospectus filed with the Securities & Exchange Commission by the Allen B. DuMont Laboratories in connection with its new financing plans indicates that the company will devote itself chiefly to its cathode ray tube production and television transmission activities. There is no indication in the prospectus that any great market for television receiving sets is expected in the near future, however.

The prospectus reveals that the company is interested in the development of large-screen television transmission of a type applicable to theatres if perfected. Paramount has a 50 per cent interest in DuMont.

### New $750,000 Issue

The new financing includes an issue of $750,000 in 10-year 5 per cent notes due May 1, 1949, and 30,000 shares of Class A common stock out of 112,000 shares authorized, to be reserved for issuance on conversion of notes. Lehman Bros. and Hemphill, Noyes & Co., principal underwriters, have been assigned $500,000 of the principal amount of $750,000. Lehman, underwriter of $400,000, has offered $363,100 of the notes, and Hemphill, Noyes, underwriter of $100,000, has offered $90,800.

Paramount has subscribed as a noteholder to $108,000 of notes and has exercised options which it held to purchase 42,000 additional shares of Class B common and made a new loan to DuMont of $108,000. It also owns 3,000 Class A shares.

### Other Large Holders

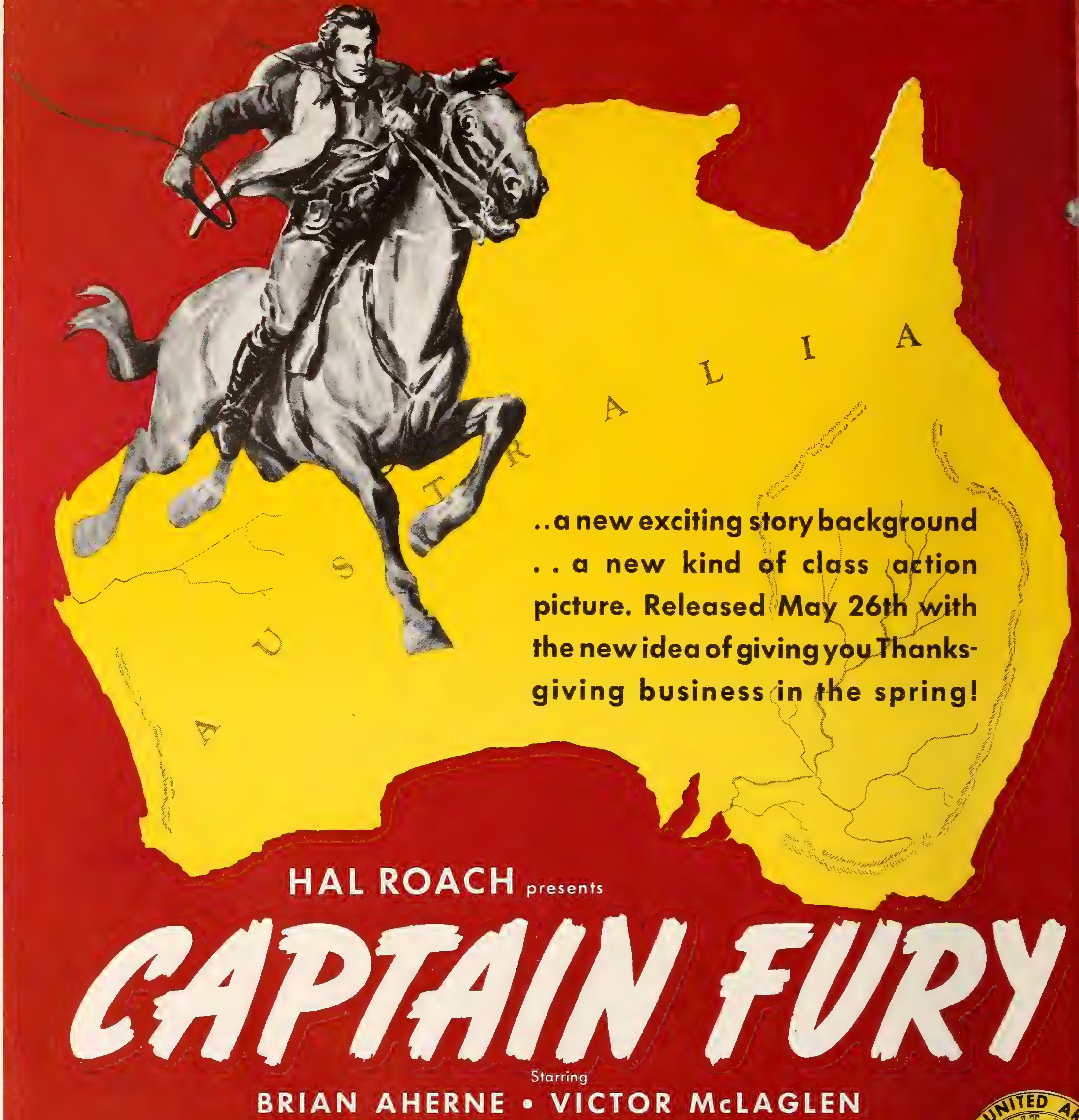
Other large security holders are Allen B. DuMont, president, $13,000 in bonds and 15,050 shares of Class A common stock, and, as trustee for Henry L. Crowley, John Hinck and Christopher A. Hinck, 1,400 shares of Class A; Henry L. Crowley, director, $3,000 in bonds and 1,910 shares of Class A; Paul Reiburn, treasurer, 1,000 shares of Class A; Lehman Brothers, 870 shares of Class A and Hemphill, Noyes & Company, 25 shares of Class A for the account of customers; Wellington & Company, subunderwriters, 500 shares of Class A; Lillian B. Loewi, 7,064 shares of Class A and 116 shares preferred, in notes; Lawrence Industrial Corporation, 200 shares preferred and 1,000 shares Class A; Henry A. Schatzkin, 114 shares preferred and 3,900 shares Class A; and William Morris and Abe Lastfogel, 140 shares of preferred and 2,400 shares Class A.

Under a contract entered into with the company in December, 1935, Allen B. DuMont is to serve for a period of ten years from January 1, 1936, at a salary of $6,000 per year and 10 per cent of the net profits in excess of $10,000 after certain adjustments.

## *Axton Fisher Signs Bond*

Axton Fisher Tobacco Co. has signed Ford Bond for a daily series of news programs over WEAF beginning May 1. Programs will be broadcast Mondays through Fridays from 6:20 to 6:30 P. M. Contract is for 52 weeks, through McCann-Erickson.

# A NEW ROBIN HOOD



..a new exciting story background .. a new kind of class action picture. Released May 26th with the new idea of giving you Thanksgiving business in the spring!

HAL ROACH presents

# CAPTAIN FURY

Starring

**BRIAN AHERNE • VICTOR McLAGLEN**

JUNE LANG • JOHN CARRADINE • PAUL LUKAS • GEORGE ZUCCO • DOUGLASS DUMBRILLE • VIRGINIA FIELD

Directed by **HAL ROACH** • Screenplay by GROVER JONES, JACK JEVNE, WILLIAM DeMILLE • **RELEASED THRU UNITED ARTISTS**

## SELL FOR THE FIRST TIME . . .

Men in chains who become a nation's heroes!

Black dungeons of Malopi Valley!

Mad ruler of adventure's last frontier!

Captain Fury's leap for life!

Shearing pits where revolt is born!

Kangaroo court in action!

DO NOT REMOVE

Alert,
ntelligent
and
ndispensable
o the Motion
icture
ndustry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 83 NEW YORK, MONDAY, MAY 1, 1939 TEN CENTS

# BC Realigns Its Executive Organization

## orton Vice-President For Television

Major executive changes were insti-
ed at NBC over the weekend by
ajor Lenox R. Lohr, network pres-
nt.

Under the new provisions all de-
tment and division heads will re-
t directly to Niles Trammell, re-
tly appointed executive vice-presi-
t, who will be responsible to Lohr
the operations of the company.

A. H. Morton, up to now vice-presi-
t in charge of managed and oper-
d stations, has been named vice-
sident in charge of television, a
 executive post.

### Hedges Heads Stations

William S. Hedges, formerly vice-
esident in charge of station rela-
ns, has been placed in charge of a
wly created stations department,
mprising the former stations rela-
ns department, the former managed
d operated stations department, the
affic department, the offices of the
ector of development and research,
d the national spot and local sales
partments.

Clay Morgan, formerly head of the
blicity department, has been ap-
inted as assistant to President Lohr
r special public relations and insti-
tional departments.

Frank E. Mason, vice-president and
sistant to the president, has been
aced in charge of the newly cre-
ed department of information, com-
ising the press, information and
omotion divisions of the publicity
partment, and of the present short-
ave division.

Sidney Strotz has been appointed
anager of the NBC central division,
post occupied formerly by Niles
rammel until his recent transfer to
ew York.

The statistical division, formerly re-
onsible to the office of vice-president
d treasurer, has been transferred to
e sales department.

### *File Oklahoma Suit*

**Oklahoma City, April 30.—Federal Government filed its anti-trust suit against major companies and four circuits here Friday. The suit, together with all details, was announced from Washington Thursday.**

### *World Fair Facts Seen at a Glance*

**Closing date—Nov. 1, 1939.**

**Cost—$155,000,000.**

**Site—1,216 acres of Flushing Meadow Park. Area is three times greater than Chicago World's Fair.**

**Hours—9 A.M. to 10 P.M., except for amusement zone, which remains open until 2 A.M.**

**Admission prices—75 cents for adults, 25 cents for children between the ages of three and 14. Season ticket for adults, $15.**

# Harris Reelected As Chief Barker of Variety Clubs

DETROIT, April 30.—Fifth annual convention of the Variety Clubs of America closed here Saturday with a banquet at the Book Cadillac Hotel attended by more than 600 delegates and guests. Included among the speakers and guests of honor were Mayor Richard W. Reading, John B. Kennedy, Lloyd Nolan, Malcolm W. Bingay, editorial director of the *Free-Press;* Edgar Guest. A floor show was headed by George Jessel and Ethel Shutta.

National officers elected at the last session are John H. Harris, Pittsburgh, reelected chief barker for the

*(Continued on page 2)*

# United Artists Asks Court to Dismiss Sam Goldwyn Suit

Branding Samuel Goldwyn's breach of contract suit against United Artists as one which lacks a "justifiable controversy," United Artists on Saturday filed a motion in Federal District Court at Wilmington asking that the case be dismissed.

Three principal grounds for dismissal of the Goldwyn action are set forth in the papers which were prepared by O'Brien, Driscoll & Raftery and Schwartz & Frohlich, attorneys for United Artists. They are that the court lacks jurisdiction in the case because of the suit's failure to establish a "justifiable controversy"; that the action does not permit of any relief which a court should grant, and that it fails to join as defendants with United Artists the other principals it complains against, London Film Prod., Ltd., Alexander Korda, Elton Corp. and Douglas Fairbanks.

Goldwyn charged in his action that United Artists had breached the Goldwyn contract by granting to Korda and Fairbanks what the plaintiff regarded as special considerations.

Supporting its contention that Goldwyn's suit does not seek any relief proper for a court to grant, the company's motion papers assert that "in form and substance the complaint (Goldwyn's) is purely a request for legal advice concerning the plaintiff's right to terminate his contract at some

*(Continued on page 2)*

# *Omaha Relaxes from Strain Of 'Union Pacific' Opening*

OMAHA, April 30.—Four-day celebration of the 70th anniversary of the Union Pacific R.R. and the simultaneous world premiere of Paramount's "Union Pacific" in three houses here wound up yesterday with most of the 200,000 visitors leaving for home. The premieres Friday were screened before capacity audiences of 7,000 at each showing.

Personal appearances were made at all three houses, the Omaha, Orpheum and Paramount, by Cecil B. DeMille, Barbara Stanwyck, Brian Donlevy, Robert Preston, Lynne Overman, George Raft, Lloyd Nolan, Evelyn Keyes, Evelyn Venable, Sheila Darcy, Judith King, Janice Logan, Evelyn Luckey, Patricia Morison, Anthony Quinn, Margaret Roach and Luana Walters.

The premieres climaxed a day of parades, dances and a luncheon for male members of the party. Honored at the luncheon were DeMille, Barney Balaban, Paramount president, Neil F. Agnew, vice-president, governors of Nebraska, Wyoming and Idaho, W. M. Jeffers, president of the Union Pacific; Averill J. Harriman, chairman of the board; Newcomb Carleton, chairman of the board of Western Union; Heber J. Grant, president of the Mormon Church; J. C. Penney, chain store operator, and scores of other dignitaries and financiers. DeMille later dedicated a Golden Spike monument.

DeMille and most of the Hollywood party left for Chicago, the first stop in a trip through key cities in connection with the film's opening dates. Miss Stanwyck and Miss Keyes left immediately for the studio to continue work on pictures in which they are working.

# Fair Opens; Amusements Big Magnet

## *Shows, Villages Cover 280-Acre "Loop"*

The New York World's Fair, costing in excess of $155,000,000 opened yesterday.

After more than four years of planning the Flushing Meadow marshland has finally been converted into a paradise of pleasures, a treasure trove of finest industrial technique, social ideas and scientific advancements of the Twentieth Century.

Between now and November 1, the Fair expects to be host to more than 16,000,000 visitors from all parts of the world.

### Seven Zones

It is divided into seven distinct zones: Communications and Business Systems, Community Interests, Food, Government zone with foreign and state participants, Production and Distribution, Transportation, and Amusements.

The amusement zone, spread over 280 acres surrounding Fountain Lake and geographically laid out in the form of a "loop," probably is the greatest pleasure metropolis built anywhere in the world. This mile-long area will be capable of entertaining 250,000 persons at one time.

From nine a.m. until 2 a.m. (the rest of the Fair closes at 10 p.m. daily), visitors in this section will find Times Square and Coney Island combined into a huge recreational center.

On exhibition will be people from strange lands—pygmies from jungles of Central Africa; ferocious-looking Ubangi tribesmen from French Equatorial Africa, black humans with large distended lips, genuine head-hunters, fierce savages from the Congo, giraffe-necked women and the alligator-wrestling Seminole Indians from the Florida Everglades.

Unlike other World's Fairs, the New York exposition does not have an old-fashioned "midway." The shows are laid out in the form of a

*(Continued on page 2)*

# *SWG Pact Goes To Board Monday*

HOLLYWOOD, April 30. — Proposed agreement between producers and the Screen Writers Guild will be submitted to SWG board on Monday. Following a producers' conference Friday night, Joseph M. Schenck, M.P.P.A. president, said terms of the proposed pact, with few changes, met with general approval.

# Amusements Big Magnet as N. Y. Launches Fair

(Continued from page 1)

loop with open-air rides, spectacles of all kinds, walk-throughs, villages, sports arenas, and shows clustered close together along the entire route.

The amusement zone is divided into six sections with seven villages, nine shows, 16 exhibits, 15 rides and nine restaurants, not counting, of course, the innumerable refreshment stands throughout the whole area.

One of the chief girl show attractions will be The Amazon Warriors, a group of 48 girls in an athletic presentation.

Billy Rose's Aquacade is another. Four shows will be offered daily, at 3, 5, 8 and 10 o'clock. Billy Rose's swimming stars will include Eleanor Holm, Gertrude Ederle, Johnny Weissmuller.

### Entertainment Variety

The eight other shows include the Cavalcade of Centaurs, a horsemanship show operated by John Ringling North; Crystal Palace, reproduction of the Crystal Palace which featured the first New York World's Fair of 1853; Laffland, where "screwball" tactics will be used to elicit laughs; Living Magazine Covers, where beauty queens will parade; Savoy, where Harlem's wildest jitterbugs will reign; Theater of Time and Space, with a ride aboard a make-believe rocket ship; Hall of Music where programs of symphonies, drama, choral music and the dance will be presented.

The 15 exhibits include Admiral Byrd's Penguin Island, Arctic Girls' Tomb of Ice, Artists' Colony, Tony Sarg's Enchanted Forest, Gang Busters, Giant's Causeway, Infant Incubator, Live Monsters, Nature's Mistakes, New York Zoological Society, Penny Arcade, Strange As It Seems, Victoria Falls, We Humans, and Canine Capers.

Fair visitors interested in rides as entertainment have 15 of them to patronize—aerial joyride, Auto Dodgem, midget auto speedway, Bob Sled with all the excitement of St. Moritz or Lake Placid, the Centipede, Drive-a-Drome, giant safety roller coaster, Jitterbug, Laff in the Dark, The Meteor, Parachute Jump, Sky Ride with two cages carrying 20 passengers each rising to the top of a 200-foot tower for a brief birds-eye view of the Fair grounds, The Snapper, Stratoship and Super-Rolloplane.

## *J. J. Fitzgibbons Showing Recovery*

ROCHESTER, MINN., April 30.—John J. Fitzgibbons of Toronto, director of theatre operations for Famous Players Canadian, is recovering at St. Mary's Hospital here from a serious abdominal operation performed this week. His surgeon said he is making normal progress. Fitzgibbons came here Monday.

Everybody in Show Business
EATS AT
SARDI'S
234 West 44th Street
LAckawanna 4-5785

# ◂ *Purely Personal* ▸

**MAURICE SILVERSTONE,** United Artists chief executive, leaves for the coast by train tomorrow to prepare for the company's annual sales meeting which opens in Hollywood next Monday.

●

**SAMUEL ORNITZ,** film writer, sailed Saturday on the *Champlain.* Others on board were **DON HARTMAN,** Paramount scenarist on leave of absence, and **COL. ROBERT GERARD** of the French Foreign Legion, who was technical advisor on Paramount's "Beau Geste."

●

**PHIL REISMAN,** RKO foreign distribution head, arrives today on the *Normandie.*

●

**JOY HODGES,** Universal contract player, leaves for Louisville tomorrow where she will remain for the Kentucky Derby, continuing on to Hollywood thereafter. She was feted by Universal at "21" on Friday.

●

**LOU POLLOCK,** eastern advertising and publicity manager of Universal, returns today from Miami, where he arranged exploitation for the opening of "The Mikado" at the Lincoln May 2.

●

**IRVING RUBINE** of the Warner studio publicity department, who has been in the east for campaigns on "Juarez" and "Confessions of a Nazi Spy," left Friday night with **S. CHARLES EINFELD** for the studio.

●

**ALICE FAYE,** after a brief vacation in the east, embarks on the *City of Norfolk* at Baltimore today to return to the 20th Century-Fox studio. Her stand-in, **MRS. CLAUDE SMITH,** is with her.

●

**EDWARD T. CARR,** joint managing director of United Artists in Great Britain, arrives today on the *Normandie* for home office talks and to attend the U. A. coast convention this week.

●

**D. C. COLLINS,** vice-president of Erpi, left for the coast Friday and plans to return east by way of San Francisco in about four weeks.

●

**EDDIE SCHREIBER,** who has handled Warners' shorts publicity at the Vitaphone studio, has been transferred to the home office under **MITCHELL RAWSON.**

●

**GERALDINE FITZGERALD,** Warner player, arrives in New York from the coast today on her way to Ireland for a short vacation. She will return later in the spring.

●

**TOM H. BAILEY,** 20th Century-Fox New England district manager, is shuttling between Boston, New Haven, Albany and the home office on circuit deals.

●

**KATHERINE BROWN,** Selznick-International eastern story editor, leaves for the coast today and plans to return in two weeks.

●

**WILLIAM J. KUPPER,** 20th Century-Fox western division manager, is making a swing of St. Louis, Kansas City and Oklahoma City.

**JIMMY WOOLF,** son of **C. M. WOOLF** of London, sailed for England Saturday on the *Aquitania* after an extended visit here.

●

**ANNA NEAGLE,** British actress, and **HERBERT WILCOX,** producer, left for the coast Friday shortly after their arrival in New York on the *Aquitania* for work in the Edith Cavell picture which RKO will release.

●

**JOHN NOLAN** has left St. Vincent's Hospital and has gone to Atlantic City for two weeks.

●

**PAUL** and **MRS. LUKAS** and **A. E. MATTHEWS,** British actor, sailed Saturday on the *Aquitania.*

●

**VICTOR C. KRUPA** of Peerless Film Processing Corp., is due back from the coast in about two weeks.

●

**VICTOR CASSELLA** of the Bonoff, Madison, Conn., was married Saturday to **MARY DEGENNARO.**

●

**LUCY FLACK,** operator of the Capitol, Milford, Conn., has left on a three-week cruise to Honduras.

●

**PHIL CHAKERES,** Ohio circuit opertor, has canceled his proposed trip to Europe.

●

**TONY D'ALGY,** Spanish actor-producer-director, leaves for Cuba today after a visit here.

●

**HUGH MCGUIRE,** RKO New Haven booker, suffered a fractured elbow when he fell.

●

**JOAN BENNETT** arrived in New York from the coast over the weekend.

●

**FLORENCE PATKE,** 20th Century-Fox booker in St. Louis, is ill.

●

**HERB MORGAN,** head of M-G-M shorts publicity, returns today from Detroit.

●

**MATT SAUNDERS,** Loew-Poli manager in Bridgeport, was a home office visitor Friday.

●

**RAY BOLGER,** screen dancer, and **MRS. BOLGER,** are in town, stopping at the Sherry Netherlands.

●

**HILLER INNES,** production manager of the Paramount home office, has gone to Bermuda for a short vacation.

●

**EARL OF WARWICK** sailed for England Saturday on the *Aquitania.* He plans to return to Hollywood.

●

**KARL MACDONALD,** Warners' supervisor for Latin America, returns today on the *Santa Rosa* after a four-month trip through his territory.

●

**CLIFFORD C. FISCHER** arrives today from London on the *Normandie.*

●

**ELEANOR POWELL,** making personal appearances at Loew's State, is staying at the Waldorf with her mother, **MRS. BLANCHE POWELL.**

●

**MIGUEL CONTRERAS TORRES,** Mexican producer, is in town.

# UA Asks Dropping Of Suit by Goldwy

(Continued from page 1)

optional, future time. No relief of conclusive nature is sought," the co plaint states, and thus even if t court were to give Goldwyn the advi he seeks it would not settle the co troversy because it would neither minate Goldwyn's contract nor clusively test its status. The mo also asserts that Goldwyn fails to sho that any damage has been suffered him or that he will be "exposed irreparable harm or injury" by t acts complained of, and points out th "an adequate remedy" is available Goldwyn either "at law or in equity

Pointing out that Goldwyn's co tract asks for no "executory or c ercive" relief, the company's moti asserts that the producer "mere seeks an opinion from the court a vising him on a hypothetical state facts as to his right to terminate t contract should he elect to do so the future."

The Wilmington court will set date for hearing of the dismissal m tion within the next few days.

## *Harris Re-Elected By Variety Club*

(Continued from page 1)

fifth time; Duke Clarke, Clevelan first assistant chief barker; John Maloney, Pittsburgh, second assista chief barker; Frank Drew, Clevelan national property master, and Jam Palmer, Pittsburgh, national doug guy. Dallas has been selected as th city for the 1940 convention.

Nineteen Tents participated in th three-day session, and new units i ducted into the organization we Memphis and Atlanta. It was di closed that over $250,000 was expen ed in charity and welfare work durin the year.

Industry leaders present include William F. Rodgers, Tom Connor Ed Saunders, Ed Kuykendall, R. O'Donnell, George Weeks, Herma Robbins, Fred Wehrenberg, Ma Cohen, Brownie Akers, Louis an Joseph Ansell, Harvey Day, Georg Dembow, Eddie Fontaine, W. K. Je kins, M. A. Lightman, Harry Kalmin C. J. Latta, Harold Lund, Carl Neiss J. J. Oulahan, H. M. Richey.

MOTION PICTURE
DAILY
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**"What the**
**'Covered Wagon' was**
**to silent pictures,**
**Cecil B. DeMille's**
**'UNION PACIFIC'**
**is to talking pictures"**

*. . . Spyros Skouras*

**Just one of Paramount's BIG 15 for Spring and Summer!**

# 'Dark Victory' Boston Smash With $32,500

BOSTON, April 30.—"Dark Victory" and "Sudden Money" took a strong $32,500 in eight days at the Metropolitan.

"The Story of Vernon and Irene Castle," coupled with the Disney Review at the Keith Memorial, drew $22,000.

Estimated takings for the week ending April 26:

**"Let Us Live" (Col.)**
Five days with vaudeville.
**"Peck's Bad Boy With the Circus" (RKO)**
Five days with vaudeville.
**"My Son Is a Criminal" (Col.) (2 days)**
**"Tailspin" (20th-Fox) (2 days)**
RKO KEITH BOSTON—(3,000) (20c-30c-40c). Gross: $9,000. (Average, $8,500)
**"The Story of Vernon and Irene Castle" (RKO)**
KEITH MEMORIAL—(2,790) (25c-35c-40c-55c) 8 days. Gross: $22,000. (Average, $15,000)
**"The Lady's From Kentucky" (Para.)**
**"The Eagle and the Hawk" (Para.) (reissue)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 8 days. Gross: $7,500. (Average, $9,000)
**"The Lady's from Kentucky" (Para.)**
**"The Eagle and the Hawk" (Para.) (reissue)**
FENWAY—(1,382) (25c-35c-40c-55c) 8 days. Gross: $5,500. (Average, $5,500)
**"Dark Victory" (W. B.)**
**"Sudden Money" (Para.)**
METROPOLITAN—(4:332) (25c-35c-40c-55c) 8 days. Gross: $32,500. (Average, $14,500)
**"Made for Each Other" (U. A.)**
**"Within the Law" (M-G-M)**
LOEW'S ORPHEUM—(2,907) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $14,500)
**"Made for Each Other" (U. A.)**
**"Within the Law" (M-G-M)**
LOEW'S STATE—(3,537) (25c-35c-40c-55c) 7 days. Gross: $11,500. Average, $10,500)
**"Yes, My Darling Daughter" (W. B.)**
**"The Hound of the Baskervilles" (Para.)**
7 days. Gross: $7,500. (Average, $5,500)

## *Republic Plans Two To Star Radio Team*

CHICAGO, April 30.—Lulu Belle and Skyland Scotty, of the WLS "National Barn Dance," will be featured in two pictures a year by Republic. The deal was set between E. W. Kurtze, head of WLS Artists, Inc., and Herbert J. Yates.

The series of pictures will be based on the radio serial, "Hometown," which stars Lulu Belle and Scotty Friday evening over WLS. Production on the first of the new series is tentatively scheduled to start in Hollywood the first week of July.

## *Cooperation*

**Cleveland, April 30.—Seventeen local independent theatres are plugging the appearance of Judy Garland at Loew's State by means of large banners on the marquees. The signs say: "We welcome Judy Garland to Cleveland in person at Loew's State" and "This theatre shows all Judy Garland-Metro pictures." Jack Schulman, Ernie Schwartz, Percy Essex and other independents thought it would be a nice gesture.**

## *Mexico Bans Airing Of Political Talks*

**Mexico City, April 30.—Broadcasting political meetings and the discussion of politics by their announcers and artists is forbidden to radio stations throughout Mexico. The government took this action when labor organizations protested against too much politics on the air.**

# 'Victory' Tops in Detroit, $14,500

DETROIT, April 30.—Michigan held a good pace, taking $14,500 with "Dark Victory" and "Kid from Texas." "Alexander Graham Bell" at the Fox took $21,000. The United Artists did nicely with "Hardys Ride High" at $12,000.

Estimated takings for the week ending April 26:

**"Love Affair" (RKO)**
**"Boy Slaves" (RKO)**
ADAMS—(1,700) (15c-40c) 7 days, 2nd run. Gross: $8,000. (Average, $5,000)
**"Alexander Graham Bell" (20th-Fox)**
FOX—(5,000) (20c-65c) 7 days. Stage, variety acts. Gross: $21,000. (Average, $20,000)
**"Dark Victory" (W. B.)**
**"Kid from Texas" (Para.)**
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $14,500. (Average, $10,000)
**"Dodge City" (W. B.)**
**"Sudden Money" (Para.)**
PALMS-STATE—(3,000) (15c-50c) 7 days, 2nd run. Gross: $9,500. (Average, $5,000)
**"Hardys Ride High" (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days. Gross: $12,000. (Average, $10,000)

## *'Dark Victory' Hits $7,200, Omaha's Best*

OMAHA, April 30.—"Dark Victory" at the Brandeis survived the celebration for the world premiere of "Union Pacific" best with a near smash, $7,200.

"Three Smart Girls Grow Up" did $10,000 at the Orpheum on a dual, and "Wuthering Heights" took $6,000 at the Omaha.

Estimated takings for week ending April 26-27:

**"Dark Victory" (W. B.)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $7,200. (Average, $4,000)
**"Wuthering Heights" (U. A.)**
**"Sudden Money" (Para.)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,000. (Average, $6,000)
**"Three Smart Girls Grow Up" (Univ.)**
**"Bulldog Drummond's Secret Police" (Para.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $10,000. (Average, $7,600)

## *Foreign Field Topic Of Columbia Meeting*

Sales problems in the leading foreign markets will be reported and discussed at Columbia's annual sales meeting, opening in Atlantic City on May 8.

Foreign market sessions will be under the direction of Joseph A. McConville, foreign manager. Among those attending will be Charles Roberts, home office supervisor for Latin-America, who has arrived in New York after six months in Central and South America; Ernesto P. Smith, Cuban manager; Sigwart Kusiel, Mexican manager, both of whom arrive in New York this week; Cecil F. Mason, Australian manager, and F. Knocke, Columbia distributor for Puerto Rico.

# Hold First of Loew Bookers' Meetings

First of M-G-M's six regional conferences for office managers, bookers and checking supervisors was held Saturday and Sunday at the Shoreham Hotel, Washington.

Others will be held Wednesday and Thursday at the Roosevelt Hotel, New Orleans; Saturday and Sunday at the Muehlebach, Kansas City; May 14 and 15, St. Francis, San Francisco; May 20 and 21, Palmer House, Chicago, and May 24 and 25, Astor, New York City.

Home office representatives attending all meetings include Alan F. Cummings, in charge of exchange operations; Charles K. Stern, Loew's assistant treasurer; Parke D. Agnew, traveling master booker, and William Brenner, checking department executive.

### From Home Office

Others from the home office at the Washington meeting were M. L. Simons, editor of the *Distributor;* Irving Helfont, contract department; Charles F. Deesen and Isidor Hirsch, assistants to Tom Connors, division manager; Charles E .Quick, accounting department; Arthur Lacks, news bookings; Ira S. Martin, billing unit department; Rose Klein, statistical department; Banks Hudson, Jr., home office print department; Jay H. Zimmerman, traveling auditor, and John P. Hanna, traveling checking supervisor.

Delegates from five exchanges were at the Washington meeting, as follows: Charlotte, Bernard J. Ross, office manager, Thomas R. Jones, David H. Williams; Cincinnati, Wm. J. Devaney, office manager; Charles Weigel, Charles Banford; Pittsburgh, Edwin J. Moriarty, office manager; John Zomnir, Earle Super; Philadelphia, Joseph E. Farrow, office manager, William F. Gabriel, Benjamin J. Hayney, Frank J. Sculli, Ralph Gillette; Washington, Fred G. Rippingale, office manager, Murray Greenfield, Morris Zell, Eddie Kushner, Peter Prince, Joseph Kronman. The meeting was arranged locally by Rudolph Berger, branch manager, and Carlton Duffus, exploitation representative.

## *'Castles' Draws Big $8,200, Providence*

PROVIDENCE, April 30.—Majestic drew $8,200 with "Three Smart Girls Grow Up" and "Inspector Hornleigh" and the RKO-Albee took a like amount with "The Castles" and "The Saint Strikes Back."

Estimated takings for the week ending April 26-28:

**"Three Smart Girls Grow Up" (Univ.)**
**"Inspector Hornleigh" (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $8,200. (Average, $7,000)
**"The Story of Vernon and Irene Castle" (RKO)**
**"The Saint Strikes Back" (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $8,200. (Average, $6,000)
**"Let Freedom Ring" (M-G-M)**
**"Within the Law" (M-G-M)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)
**"Streets of New York" (Mono.)**
**"My Wife's Relatives" (Repub.)**
STRAND—(2,100) (25c-35c-50c) 6 days. Gross: $4,500. (Average for 7 days, $6,000)
**"Women in the Wind" (W. B.)**
FAY'S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,400. (Average, $6,500)
**"Dodge City" (W. B.)**
**"Chasing Danger" (20th-Fox)**
CARLTON—(1,526) (25c-35c-50c) 7 days. Gross: $4,700. (Average, $3,500)

# 'Dodge City' Leads Denve With $13,50

DENVER, April 30.—"Dodge Ci
was a smash grosser here, with
500 at the Denver. "Hound
Baskervilles" and "Women in
Wind" drew a good $5,000 at
Paramount, while "The Story of V
non and Irene Castle" and "Fish
man's Wharf" took $3,000 at
Broadway.

Estimated takings for the week e
ing April 26:

**"Story of Vernon and Irene Castle" (R**
**"Fisherman's Wharf" (RKO)**
BROADWAY—(1,100) (25c-40c) 7 d
3rd week. Gross: $3,000. (Average, $2,
**"Never Say Die" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 d
Gross: $5,000. (Average, $6,500)
**"Dodge City" (W. B.)**
DENVER—(2,525) (25c-35c-40c) 7 d
Gross: $13,500. (Average, $9,000)
**"Broadway Serenade" (M-G-M)**
**"Society Lawyer" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 7 d
Gross: $8,700. (Average, $8,500)
**"Hound of the Baskervilles" (20th-Fox)**
**"Women in the Wind" (W. B.)**
PARAMOUNT—(2,200) (25c-40c) 7 d
Gross: $5,000. (Average, $3,500)
**"The Little Princess" (20th-Fox)**
**"Mr. Moto on Danger Island" (20th-Fo**
RIALTO—(878) (25c-40c) 7 days. Gro
$2,500. (Average, $1,750)

# 'Victory' $16,200 Cincinnati Leade

CINCINNATI, April 30.—"Dark V
tory" was the leader here, giving
RKO Albee a big $16,200.

"Dodge City" had a strong th
week at the RKO Grand, where
collected $4,000, and "The Hound
the Baskervilles" pulled a hea
$6,800 on an eight-day run at Keith

Estimated takings for the week en
ing April 26-29:

**"Dark Victory" (F. N.)**
RKO ALBEE—(3,300) (35c-42c) 7 da
Gross: $16,200. (Average, $12,000)
**"East Side of Heaven" (Univ.)**
RKO PALACE—(2,700) (35c-42c) 7 da
Gross: $10,500. (Average, $10,000)
**"The Story of Vernon and Irene Castle"**
**(RKO)**
RKO SHUBERT—(2,150) (35c-42c) 7 da
3rd week. Gross: $3,500. (Average, $10,0
**"Midnight" (Para.)**
RKO CAPITOL—(2,000) (35c-42c) 7 da
2nd week. Gross: $4,600. (Average, $6,5
**"Stagecoach" (U. A.)**
RKO LYRIC—(1,400) (35c-42c) 7 days, 2
week. Gross: $4,000. (Average, $5,000)
**"Dodge City" (W. B.)**
RKO GRAND—(1,200) (25c-40c) 7 da
3rd week. Gross: $4,000. (Average, $2,7
**"King of Chinatown" (Para.)**
**"Mystery of the White Room" (Univ.)**
RKO FAMILY—(1,000) (20c-30c) 4 da
Gross: $1,300. (Average, $1,500)
**"Inside Story" (20th-Fox)**
**"North of the Yukon" (Col.)**
RKO FAMILY—(1,000) (20c-30c) 3 da
Gross: $900. (Average, $900)
**"The Hound of the Baskervilles" (20th-Fo**
KEITH'S—(500) (30c-40c) 8 days. Gros
$6,800. (Average, 7 days, $6,000)

## *Correction*

Quintin Rueda, chief of the D
partment of Press and Publicity
the Mexican Government, has writt
to MOTION PICTURE DAILY requesti
correction of an earlier stateme
which said that Mr. Rueda came
New York to represent President Ca
denas at the premiere of "Juarez
Mr. Rueda came to the premiere
representative of the Department
Press and Publicity and not as repr
sentative of President Cardenas.

# Trade Is Awaiting Reply to Plea for English Tax Cuts

LONDON, April 30.—D. E. Griffiths, resident of the Kinematograph Rent- s' Society, over the weekend had not eceived a reply to his request to John Simon, Chancellor of the xchequer, to receive a deputation om the industry protesting the in- eases in film taxes in the new bud- et. The deputation is to include rep- sentatives of the K.R.S. (distribu- rs), Cinematograph Exhibitors' As- ciation, Federation of British Indus- ies (producers), and the newsreels.

It is generally agreed that a portion the trade will be in a critical posi- on if the taxes are not adjusted. Dis- ibutors contend the tax renders ontinued operation uneconomic, ex- ibitors insist it will accentuate the roduct shortage and independent pro- ucers fear extinction. Importers, ask- g Griffiths to speak for them, say e tax will penalize them an average $750 per feature before sale.

Griffiths, in a public statement, aimed the new taxes would increase lm costs 100 per cent, and reiterated e contentions of the various industry ranches. His statement stressed the xtreme urgency of the situation. The ewsreels, in a separate plea to the hancellor, declared the new taxes reatened them with the necessity of iscontinuing operation.

## Studio Group Off to Monogram Meeting

HOLLYWOOD, April 30.—Monogram tudio contingent headed by Scott R. Dunlap, vice-president in charge of production, leaves tomorrow for the three-day annual convention which starts May 4 at the Drake Hotel, Chicago.

Accompanying him will be Mel Hulling, western district manager; Howard Stubbins, Ray Olmstead, M. . McCarthy, Los Angeles exchange; F. H. Butler, G. P. Allen; San Fran- isco office. Martin Spellman, John Trent and Frankie Darro. The home office group will leave from New York on a special train Wednesday.

## 40 of 90 Exposition Displays Are Taken

About 40 of the 90 display booths available for New York Allied's annual convention and equipment exposi- ion at the Astor, May 23 to 25, are already taken, according to E. Thorn- on Kelly, executive secretary.

Among those who have signed for display space are Vallen, Inc., Akron; National Screen Service, Alexander Film Co., Altec Service, RCA, Serv- ce Employes in Amusement and Cultural Buildings Union, State Poster Co. and Treo Film Exchange.

## Form Theatre Firm

RIDGEFIELD, Conn., April 30.—Certificate of incorporation has been filed for New England Playhouse, Inc., West Lane, Ridgefield, with Philip S. Carr as president, Alfred V. Leaman, vice-president, Alfred Wagstaff, treasurer, and Marjorie Ames Carr, secretary.

## 'Captive of Nazi' Banned in England

**London, April 30.—British Board of Film Censors has banned from exhibition the film, "I Was a Captive of Nazi Germany." The film recounts the story of Isobel Lillian Steele, American writer who was arrested by the Nazis, and was distributed in the United States by Malvina Pictures.**

# Republic Plans 6 Big Budget Films

HOLLYWOOD, April 30.—Republic will make six anniversary specials next year with budgets comparable to "Man of Conquest" and four will have higher expenditures, H. J. Yates declared. In addition a contract roster of "name" players and directors will be built up during the next year. In line with this policy, M. J. Siegel, studio head, will spend one month each year in New York searching for talent. Siegel left Friday for the east.

Yates, who arrived Thursday for a three-week stay, also stated that budgets for Gene Autry westerns will be increased by one-third. These pictures are commanding 50 per cent higher rentals than last year, he said. Arrangements are being completed for Autry to tour England.

Yates stressed the fact that his visit was routine and that no personal shakeup was contemplated. Legal technicalities have delayed consummation of a deal under which Republic would purchase studio properties from Guaranty Liquidating Co. Present outlook is that the deal will be closed in a month.

## Will Honor Levy at Minneapolis Dinner

MINNEAPOLIS, April 30.—Northwest exhibitors are sponsoring a dinner May 22 at the Nicollet Hotel here signalizing the appointment of Morton A. Levy, 20th Century-Fox district manager, as S. R. Kent drive leader.

The committee is representative of Minneapolis, Omaha and Des Moines exhibitors and includes W. A. (Al) Steffes, Billy Elson, John J. Friedl, Ben Friedman, Eddie Ruben, Abe Kaplan, George Granstrom and Sydney Volk. Exhibitors and branch managers from several cities are expected to attend, in addition to a home office group.

## Roosevelt, Disney to Aid Museum Opening

President Roosevelt will open the new Museum of Modern Art here with an address to be broadcast from the White House on May 10. Walt Disney also will join in the opening celebration with a talk from Hollywood. Daily film programs will be given after the Museum inaugurates its new building. The Film Library connected with the Museum will provide 70 pictures for the proposed daily showings. The screenings will be part of the "Art in Our Time" exhibition planned by the Museum.

# W. B. Exploitation Staff Is Revised

Warners' field exploitation staff was revised by S. Charles Einfeld, director of advertising and publicity, before leaving for the coast Friday night.

Lee Blumberg, in charge of press books, was promoted to head field exploitation in addition to his other duties. He will work under supervision of Mort Blumenstock, eastern advertising and publicity head.

Dick Hyland of the publicity department has been assigned as southern district representative in Dallas, working under Fred Jack, district manager. He replaces Allan Glenn, resigned.

Monroe Rubinger of the press book department goes to Kansas City as representative in Warners' newly formed Prairie district, under supervision of District Manager Rud Lohrens.

Other field men are Sam Clark, in charge of the Midwest territory at Chicago; Ned Holmes, west coast territory, Los Angeles, and Phil Engel, eastern district, New York.

## Kent Sailing May 15 For Rio de Janeiro

S. R. Kent, president of 20th Century-Fox, will sail May 15 on the *Brazil* for Rio de Janeiro to speak at the company's South American sales convention, June 1 to 3. The meeting will be presided over by Walter J. Hutchinson, overseas sales director, who will go from the Paris and London convention.

On the last day of the South American convention, Kent will outline plans for Latin American expansion. He will remain in Rio de Janeiro until June 15 for conferences with company managers, Government officials and business leaders. Kent then will leave for New York with Hutchinson, stopping en route to address the Trinidad meeting. They will return here June 27.

Among those attending the South American meeting will be the Argentine staff headed by Sidney S. Horen, and the Chilean staff, headed by Arthur Ruscica.

## AT & T, Erpi Attack Complaint of Jablow

American Telephone & Telegraph, Western Electric and Erpi will apply to the U. S. District Court on May 5 for an order striking out paragraphs of the complaint in the suit of Frank Jablow and Sam Acker, stockholders, against Paramount, A. T. & T., Western Electric and Erpi, defendants in the suit.

The plaintiffs had charged them, among other things, with receiving excessive sums on licensing agreements.

## To Extend Mo. Sales Tax

JEFFERSON CITY, Mo., April 30.—Missouri House has passed a second bill extending the two per cent sales tax from Dec. 31, 1939, its expiration date, for two years. The Senate Ways and Means Committee already has approved the first sales tax extension bill passed by the House, but the new one makes some changes in collection. Both now will be considered by the Senate.

# Majors Field Study Seeks Evidence for Use in Trust Action

Major company booking and accounting departments are conducting surveys in the field for evidence to be used in trial of the Government's anti-trust suit pending in New York.

The studies are focused at representative exchange centers and pertain to distribution of product, contracts and bookings. The information gathered will be designed to counteract the Government's allegations.

Company lawyers on Friday had not yet received copies of the bill of particulars filed by the Department of Justice in Federal District Court here the day before.

After a study of the bill, the lawyers will decide what their next move will be. Counsel may petition for an additional bill of particulars submitting information not included in the bill filed, or they may ask the court to strike the bill because it failed to comply with the court order which asked for particulars, or the matter may be taken up in informal conference with the Department of Justice and Judge Bondy, who is in charge of the case.

# Mexican Subsidy Granted Producer

MEXICO CITY, April 30.—A subsidy of $60,000 has been granted by the Mexican Government to Roberto Soto, veteran stage comedian recently turned picture producer, to finance his first production, "La Marcha de Zacatecas" ("The Zacatecas March"), based upon the old Mexican march. This is the largest subsidy the Government has given a producer. Soto expects to have the film, his first, ready for exhibition early in the summer.

Financing to the extent of $60,000 has been obtained privately for the start of production in May of the first of four feature pictures to be made this year by the new Mexican company, Cinematografica Industrial de Arte Mexicana, which has headquarters here.

## Myers Sees Possible Trade Pact Approval

WASHINGTON, April 30.—Possibility that the trade practice agreement may be developed to a point where it will get the approval of Allied States was declared to exist by Abram F. Myers, Allied general counsel.

Myers pointed out that the organization's policy on this issue will be determined at its Minneapolis convention in June, at which time, he said, "It is hoped that exhibitors will have a more liberal, at least a complete, program to consider."

## Denis Plans Chinese Film

United Artists has acquired foreign distribution rights to the next feature length adventure film to be made during the next 10 months by Armand Denis and his wife, Leila Roosevelt, in the interior of China. They were the producers of "Dark Rapture," "Wild Cargo" and other adventure films. With Leroy G. Phelps, cameraman, they sailed for London Saturday.

# Broadway Houses Are Calm As Javal Brings Television

Seven Broadway picture houses have signified a willingness to accept installation of the Baird theatre television apparatus, and a single experimental theatre most likely will be selected within the next two weeks, according to Ian C. Javal, commercial director of Baird Television, Ltd., who arrived here Friday from England with a number of engineers from the Baird factories, and with television equipment, both for theatre and home, worth $150,000.

Broadway managers, when interviewed, stated that Baird Television and DuMont Television have made overtures for the introduction of television screens in theatres. These talks, however, are still in the conversational stage. The managers feel there is little possibility of television being installed this year. They report that they are listening to all proposals but that the proposals thus far are more theoretical than practical.

### No Theatre Named

He would not identify the theatres which have approached him on television, he said. Arthur Lee, vice-president and general manager of Gaumont British, which is affiliated with Baird television, was a bit more specific, and said that the initial theatre which will be selected is within a few blocks of the G. B. office here. A reporter suggested a theatre, but Lee was enigmatic.

As an example of the power of television as a draw in film houses, Javal described the S.R.O. business in the four theatres that carried the Oxford-Cambridge boat races. He said that the admission price was scaled at a flat $5 per seat, and that there was not an empty seat in any of the four houses. Average film admission is 50 cents in England. He said that the success of theatre television efforts has led him to engage seven houses for the televised showing of the running of the Derby. He said the admission price for the event will be $5, and he expects capacity business in all seven theatres. The seven theatres will accommodate an audience of from 18,000 to 20,000.

### To Show Equipment

His first task here, he said, will be the installation of a television theatre in the G. B. offices here, with subsequent public showing of the Baird equipment. The Baird screen, he said, is 15x12 feet, which is the largest screen publicly demonstrated thus far anywhere. Installation in the home offices here will occupy a week, and the demonstration will take place within the week following.

Javal was non-committal about whether he will effect tieups with major networks. He said that the Baird receivers, which operate on a 405 line screen, would be converted and adapted to the American standards of 441 line. He said that Baird definitely would not set up its own transmitter here, because United States laws require that a company must be 80 per cent American owned before it can set up operations.

Javal said he would remain here for at least one month.

# ▸ *Radio Personals* ◂

DAN BLANK, sales representative of Radio Attractions, has left for the south in the interests of the "Fu Manchu" transcriptions. William Amerson, the company's Chicago representative, has left New York after a series of home office conferences . . . Young & Rubicam is tendering a party to Kate Smith at the Ambassador Hotel today in honor of her birthday . . . Tom Lewis and Hubbell Robinson of Young & Rubicam have left New York for Hollywood . . . K. Hackathorn of WCLE, Cleveland, here on station business.

# Local Stations Ask Fair Pay Wire Cost

New York City's independent radio stations will not pick up any World's Fair broadcasts unless the Fair Corp. absorbs the wire charges for the broadcasts. This decision was reached at a meeting Saturday at which all local stations were represented.

Yesterday's opening ceremonies from the Fair grounds were carried by the locals, however.

Notification of the action to the Fair Corp. was withheld until today, however, at the request of John S. Young, radio director of the Fair, who asked that action be withheld until after the Fair's opening. Today a telegram will be dispatched to the radio director's office of the Fair, explaining the stations' stand.

Participating in the action were WHN, WMCA, WNEW, WQXR, WOV, WBIL, WINS, WLTH, WWRL, WHOM, WBBC, WBNX, WEVD and WARD. WNYC, New York's municipal station, is the only local outlet not represented, because, as a municipal station, it is exempt from paying any line charges for broadcasts.

## *Rutherford to Cinecolor*

HOLLYWOOD, April 30.—Edward Rutherford, veteran film laboratory technician, has joined Cinecolor to take charge of screen projection.

# *F C C Calendar*

WASHINGTON, April 30.—Application for a construction permit for a new broadcasting station was filed with the Federal Communications Commission by the Lakeland Broadcasting Company, planning a 680-kilocycle, 250-watt transmitter at Willmar, Minn.

Other applications filed with the commission included the requests of Stations WPRO, East Providence, R. I., for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; KMAC, San Antonio, Tex., for change of frequency from 1,370 to 630 kilocycles; extension of the time sharing to unlimited and increase of power from 100 watts night, 250 watts day, to 1,000 watts; WRBL, Columbus, Ga., increase of night power from 100 to 250 watts, and KWK, St. Louis, Mo., for change of frequency from 1,350 to 630 kilocycles.

## *UA to Set Contract Record During Drive*

**United Artists will set a new company record for contracts closed during any 12-month period by the end of its 20th anniversary drive July 1, Harry Gold, eastern general sales manager, and Jack L. Schlaifer, western general sales manager, report.**

**Tabulations for the 38 weeks of the drive, ended April 22, placed Ben Fish's far west district in the lead, while individual honors rest with James Hendel, Cleveland salesman, for the eastern division, and Earl Collins of Denver in the western. Standings of the districts and the leading exchange in each are: far west, Seattle, first; central, Cincinnati, second; eastern, New Haven, third; southern, Dallas, fourth; Canadian, Winnipeg, fifth, and midwestern, Kansas City, sixth.**

# CBS Educational Shows Up in '38

CBS Adult Education Board met in annual conclave in New York Friday, and submitted its annual report, which shows marked progress in the field of education during the past year on CBS.

The report showed a total of 1,225¼ hours and 4,636 educational broadcasts in 1938, a marked increase in educational hours and broadcasts over the previous year, when the totals were 897½ hours and 3,619 broadcasts. Some of the principal classifications and hours devoted to them in 1938, and the 1937 comparisons, are as follows:

Science, 60½ hours, compared to 37 hours in 1937; Drama, 153 hours, compared to 117; History and Travel, 73 hours, compared to 43; Religious, 116 hours, compared to 109½; Public Affairs at home, 54½, compared to 40; Public Affairs abroad, 78¾, compared to 11¾; Labor and Industry, 35, compared to 34¾; Current Events, 347, compared to 297¼; General, 51¾, compared to 33½ hours.

## *Managers Are Fined*

MONTREAL, April 30.—Of four theatre operators haled into court on charges of admitting children under 16 years of age, two pleaded guilty and were fined $50 and costs, while the other two pleaded not guilty and were remanded for trial May 3. The two fined were Robert Olsen, manager of the Perron, and Lawrence Ward, manager of the Verdun Palace; those to be tried are A. Capandistis of the Cameo and Morley Anderson of the Fifth Avenue.

## *900 at Para. Dance*

Nine hundred members of the Paramount Pep Club and guests attended the Spring Dance held Friday night in the Belvedere Room of the Hotel Astor. Eli Dantzig and his orchestra provided the music, and among the entertainers were Lanny Ross, Shirley Ross, Billy Gilbert and Hal LeRoy of the current stage show at the Paramount.

# Paramount Saving
# $1,795,000 a Yea
# From Refinancin

Paramount has effected interest a
dividend savings aggregating $1,79
000 per year through redemption
its six per cent debentures an
version of preferred stock into
mon, Barney Balaban, president,
forms stockholders in connection w
the company's financial report for 19
Balaban points out that the co
pany's cash position improved by $
464,000 during the year for a total
$13,614,200 and that, despite the u
settled foreign market, the compan
earnings have been on the increase i
the past six months.
Net profit for 1938 amounted
$4,105,675, including $1,240,000 rep
senting Paramount's net interest as
stockholder in undistributed earnin
of partially owned companies. Th
compares with the company's advar
estimate of net profit of $4,096,0
which was made public on March
and compares with net profit of $
670,103, including undistributed ear
ings of partially owned companies, i
1937.
The company's gross income i
1938 was $104,360,381, compared w
$109,033,470 in 1937. Gross operati
expenses were $95,853,870 compar
with $96,734,561 the preceding ye
Current assets, including cash, amou
ed to $37,910,520 as of Dec. 31, la
and current liabilities were $8,898,5
leaving net working capital of $2
011,995. Inventories were $19,836,9
compared with $22,884,780 the pr
ceding year.
The report sets forth that $5,500,0
has been borrowed from banks at rat
averaging 3½ per cent to aid in t
redemption of approximately $7,500,0
of the company's six per cent debe
tures, leaving $1,938,676 princip
amount of these debentures still ou
standing. The total net reduction
interest bearing indebtedness of tl
company during the past three yea
has aggregated $9,500,000. Annual i
terest saving compared with 1935,
$1,095,000. Annual dividend saving
compared with 1935 are $700,000.

## *Mullin Is Appointed*
## *RCA Vice-Presiden*

Frank E. Mullin, manager of tl
publicity department of RCA, w
elected vice-president in charge of pul
licity and advertising for RCA Frida
at a meeting of the board of director
Horton Heath, assistant to Mulli
was promoted to publicity manager.

## *British Trial Set*

LONDON, April 30.—First high cou
case of the Westminster Bank again
15 insurance companies, involvin
more than $5,000,000 insured fil
loans, is scheduled to start tomorrov
The insurance companies dispute lia
bility.

## *Employes Apathetic*

Meeting of clerical employes c
home offices and exchanges called b
Bookkeepers, Stenographers & Ac
countants' Union Friday night faile
to attract more than a score of em
ployes. Union officials said represen
tatives of five companies were preser
and that the organizational driv
would be pushed.

# ARE THEY
# CATHOLIC, JEW, PROTESTANT?

*(Think of this when you read tonight's headlines!)*

You'll be proud to be part of this. You'll be glad that in this topsy turvy world there's some sanity left and it's working right in your own city. You'll agree this is Americanism in its truest sense and you'll get a tug at the heart to think that the brotherhood of man touches you closely today.

Whatever you give to the GREATER NEW YORK FUND goes to a united effort of all races and creeds to take care of the sick, the needy, the troubled. As you glance at the headlines in your newspaper tonight, think deeply what this means. Protestant, Catholic, Jew in the world's greatest city join hands for the common good, to help all of its people now, to "build for tomorrow" a healthier, happier city. 380 allied groups are benefitted, covering all communal obligations in one annual solicitation.

Some who read these lines may have great wealth . . . each should give in proportion . . . but *everyone* who bears the name of American should contribute at least a day's pay a year to the GREATER NEW YORK FUND . . . a united gesture whose significance will roar across America and the world.

*The Fund Chairman of your company will communicate with you. Others kindly send contributions direct to Motion Picture Division, Greater New York Fund, 1540 Broadway, New York City*

# Quiet Please!

# while we talk *Business*

Advertising that puts your sales argument over quickly and graphically is a good investment.

Advertising that appeals to people while they are in a mood to buy is a good investment.

Advertising that entertains while it sells is a novel investment.

Advertising that is heard as well as seen is a rare investment.

The National Screen Pre-vue Trailer . . . only advertising combining all these features is a great investment.

Why not use this unique advertising on your screen? It sells your show to a one hundred percent audience, at the lowest cost per ticket sold.

The National Screen Pre-vue Trailers are made by men with twenty years experience selling pictures to your public.

NATIONAL
Screen
SERVICE

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

45. NO. 84 NEW YORK, TUESDAY, MAY 2, 1939 TEN CENTS

## Abe Lincoln' Gets Pulitzer Drama Prize

### Yearling,' Best Novel, Also Will Become Film

"Abe Lincoln in Illinois," by Robert E. Sherwood, yesterday was awarded the Pulitzer Prize for the best American drama of the year, and "The Yearling," by Marjorie Kinnan Rawlings, won the award for the best American novel of 1938.

RKO owns the film rights to the play and M-G-M has acquired rights to the novel. Both are on the 1939-'40 production schedule. Max Gordon and Harry Goetz will produce the Lincoln film for RKO.

The Sherwood play, an outstanding Broadway success, concerns the early life of Lincoln and was purchased by RKO for $250,000. Raymond Massey, who plays the title role, will also head the cast in the film version. Production is scheduled to start in the summer with the play continuing its run on Broadway. Massey will take a leave of absence from the stage cast and will return after his Hollywood work is completed.

M-G-M has assigned Victor Fleming to direct "The Yearling." The novel, one of the year's best sellers, is the story of a young boy who adopts a year-old deer. Characterization of life in a poor white family in Florida, and a description of local scenes are highlights of the novel.

## Quality Clause Is Attacked by Carr

Quality clause of the new British Quota Act has operated to force the small producer out of business with the result that 65 per cent of England's studios are empty today, E. T. Carr, United Artists joint managing director for Britain, said yesterday on his arrival in New York on the *Normandie*.

Despite this result, Carr said, there is little likelihood of any change in the quota's provisions in the immediate future. He said its disadvantages will be greatly outweighed eventually, in that the quality producer in England will be placed in a better competitive position in the world markets in relation to the Hollywood producer.

The British executive said the international situation has had but little effect on film and theatre business in England thus far. He deprecated the

(*Continued on page* 6)

## *Universal's Crosby Film to Music Hall*

**Universal's "East Side of Heaven," starring Bing Crosby, has been booked into the Radio City Music Hall to open Thursday after the run of "Dark Victory." Picture is the first Bing Crosby vehicle to play the Music Hall and Universal's first in several years at the house.**

**The Rivoli, which has first call on Universal product, waived its claim to the Crosby picture under an arrangement which gives the house "The Mikado," to start at the close of the "Wuthering Heights" run.**

## British Film Men Keeping Up Hopes For Tax Reduction

LONDON, May 1.—Although the industry is maintaining an air of optimism, little hope is held here for any major concessions in the reduction of proposed new film taxes. D. E. Griffiths, president of Kinematograph Renters' Society, has not yet received a reply from Sir John Simon, Chancellor of the Exchequer, to a request to receive a deputation from the industry.

Raw stock manufacturers today increased prices by .52 of a penny, and processing laboratories are expected shortly to increase charges by 10 per cent.

Proposed imposition of a duty of fourpence halfpenny per square foot, will mean a total increase to U. S. distributors of $1,835,000 annually.

Film circles here fear that imported product will be curtailed quantitatively and qualitatively, with the added possibility that American producers will have less incentive to make large budget pictures.

The tax question was raised in Commons tonight by Sir Adrian Baillie, a

(*Continued on page* 6)

## Warners Oppose Making Spanish Pictures for S.A.

Warners feel it is uneconomic to distribute anything except their Hollywood product in Latin America, and therefore will not make any Spanish language pictures, declared Karl Macdonald, supervisor for Latin America, who returned yesterday from a four-month trip through his territory.

"It is not profitable to handle outside Spanish language films in that market," Macdonald said. "After the percentages and expenses are deducted, there is little left. We would much rather get our Hollywood pictures shown and get some money to send to Hollywood to recoup negative costs."

### M-G-M Has Same Policy

M-G-M's policy in Latin America is identical. Every other company, however, either is handling Spanish language films or plans to do so.

"What is this talk about the importance of the Latin American market?" Macdonald asked. "For seven years we have been developing the market and have built it up to a point where it is a good one for us. We intend to do nothing more than we have always been doing—sell our pictures,

(*Continued on page* 6)

## *Fair and Fleet Cut Broadway Takes*

Broadway grosses slumped over the weekend when an estimated 50,000 visitors flocked to see the U. S. Fleet at anchor in the Hudson and 600,000 thronged the World's Fair on the opening day.

Sunday matinees were affected most but business improved at night following showers which kept New Yorkers in town.

Theatre men believe the competitive pressure from the Fair will become strongest in the middle of June when school vacations and the tourist season start.

## *World's Fair Registration Bureau*

**Out-of-town readers of MOTION PICTURE DAILY, who plan on coming to the New York World's Fair, are invited to notify this publication, in advance of the date of their arrival or upon their arrival—length of stay and New York address—this information to be registered here.**

**Thus, those desirous of locating other industry visitors in town, will be able to do so quickly through this service by calling at our offices or phoning CIrcle 7-3100, and asking for "World's Fair Bureau."**

**From time to time, there will be published lists of registrants, who will receive regularly at their New York addresses for the duration of their stay, copies of MOTION PICTURE DAILY.**

## Firms Balking Consent Move In Trust Fight

### *Defendants Dislike Idea of Suit Decree*

There is little, if any, probability of an agreement by defendant companies to a consent decree in the Government anti-trust suit, official sources revealed yesterday.

Principal obstacle to such an agreement, it was pointed out, is the fact that a consent decree might be followed by a flood of anti-trust suits by independent exhibitors against producers and distributors. In each instance, triple damages could be sought as a consequence of alleged violation of the anti-trust laws.

Suits would be encouraged by the fact that defendants, in entering into a consent decree, would agree to discontinue certain practices which might then be construed as violating anti-trust laws.

Most of the discussion of a possible consent decree has originated with the Government. Industry attorneys have stated emphatically that they would not discuss a consent decree which was conditioned upon either theatre divorcement or admission of violations of the anti-trust laws through business practices which have

(*Continued on page* 6)

## Monogram Chiefs Leave Tomorrow

A special two-car section will leave Grand Central tomorrow with the eastern contingent to Monogram's convention which will start Thursday at the Drake Hotel, Chicago. W. Ray Johnston, president, will head a delegation of two score Monogram executives, franchise holders, branch managers and salesmen.

Included in the New York group will be Edward A. Golden, vice-president in charge of exchanges; George W. Weeks, vice-president in charge of sales; Norton V. Ritchey, general foreign manager; Leon Fromkess, treasurer; Louis S. Lifton, director of advertising and publicity; John S. Harrington, manager of film and accessories; Lloyd Lind, assistant to sales manager; Manny Reiner, press book editor; William Jaffee, of Rosenblatt & Jaffee, company counsel, Joseph Kehoe and J. R. Wilson.

Norman B. Rydge, managing direc-

(*Continued on page* 6)

# Plan Pact Debate At Allied Meeting

DALLAS, May 1.—Independent exhibitors attending Allied's national convention in Minneapolis, June 13 to 15, will be polled on the trade practice code, after a discussion of its provisions, according to a bulletin issued by Col. H. A. Cole, president.

Every exhibitor leader and theatre owner in the United States, regardless of organization affiliation, will be invited to attend and participate in the trade practice discussion, for which an entire session will be set aside. Col. Cole declares that "this matter is not going to be packed or framed."

Allied negotiations committee, "in opposing the acceptance of the trade practice proposals in their present form, were only doing what they thought was for the best for their members and all independent exhibitors," Col. Cole says. "If the majority of independent theatre owners want to accept the trade practice reforms as submitted by the producers, you may rest assured that the members of the negotiations committee and all officers of Allied will find no fault."

### Distributors Invited

MINNEAPOLIS, May 1.—W. A. Steffes, national Allied convention chairman, has sent invitations to more than 90 executives of film companies, affiliated circuits, heads of the M.P. P.D.A. and others to attend the convention. Among them are presidents of all major companies, Will H. Hays and C. C. Pettijohn of the Hays office, Ed Kuykendall and Julian Brylawski of the M.P.T.O.A., and Joseph I. Breen, director of the Production Code Administration.

# *Albany Allied Unit Sets Meeting Plans*

ALBANY, May 1.—Almost the entire membership of the Albany unit of New York Allied plans to attend the organization's convention in New York, May 23 to 25. Plans were mapped at a meeting today, with Mitchell Conery of Ravena, regional vice-president, presiding.

Members expressed satisfaction with the overwhelming defeat of the Crews projectionist bill in the legislature last week. Upstate exhibitors claim the major portion of the victory, as reflected in the Assembly vote. Other legislation, including a strong possibility of a two per cent sales tax and a ticket tax for housing, was not formally discussed. About 25 theatre representatives were present.

## *Legionnaires*

**The Republic of France has conferred the Legion of Honor on eight 20th Century-Fox executives in the last several years. The latest to receive the honor, given for signal accomplishment in the field of public service, is Benjamin Miggins, Continental European manager. Others wearing the decoration are Joseph M. Schenck, S. R. Kent, Darryl F. Zanuck, Walter J. Hutchinson, Robert T. Kane. Truman H. Talley and Lowell Thomas.**

# *Purely Personal*

HARRY BRANDT, I.T.O.A. president, sent KATHARINE HEPBURN a letter of congratulation on her performance in "Philadelphia Story," and received a note of appreciation in reply.

•

WILLIAM F. RODGERS, M-G-M general sales manager, and ED SAUNDERS, division manager, stayed over in Detroit on business after the Variety Club banquet and are due here today. TOM CONNORS returned yesterday.

•

PHILIP BARRY, author of "Philadelphia Story," sails tomorrow on the *Normandie.* Other passengers will be COLETTE D'ARVILLE, French singer, and JULIUS STEGER, producer.

•

CRANE WILBUR and JOHN LITEL of the Warner studio will make personal appearances in Chicago at the Hyam Salomon Fund dinner May 21, when the "Sons of Liberty" short will open.

•

GUS EDWARDS, whose life is filmed in Paramount's "The Star Maker," has gone to Colorado Springs for a rest, following a visit to the Mayo Clinic at Rochester, Minn.

•

M. L. SIMONS, editor of the *Distributor,* M-G-M publication, has moved into his new home on Long Island.

•

BORIS MORROS has returned to the coast to start production of his first film for RKO, "The Aviators." HERBERT SILVERBERG, attorney, accompanied him.

•

BERT SANFORD, eastern district manager for Altec, addressed a class in the theatre management course at Syracuse University. A. J. RADEMACHER, branch manager, assisted.

•

W. A. SCULLY, Universal general sales manager, returns to New York today after a tour of the company's western exchanges following the San Francisco sales meeting.

•

CHARLES SCHLAIFER, advertising and promotion manager of the United Artists Theatre, San Francisco, has returned to his desk after a vacation.

•

BILLY ELSON, manager of an RKO theatre in Minneapolis, is in town for a few days, coming on from the Variety Club convention in Detroit.

GEORGE J. SCHAEFER, RKO head, may remain at the studio for several additional weeks. S. BARRET MCCORMICK, advertising and publicity director, returned by train yesterday.

•

MARTIN QUIGLEY, FRANK WALKER, COLVIN BROWN, HARRY GOLD, NATE BLUMBERG, WILLIAM PHILIPS, HERMAN ROBBINS, HARRY BRANDT, B. S. MOSS, ED HATRICK and JOE VOGEL at lunch at Dinty Moore's yesterday.

•

NEIL F. AGNEW, Paramount vice-president and distribution head, sails today for a brief vacation in Bermuda. MRS. AGNEW will accompany him.

•

MORRIS JOSEPH, Universal New Haven exchange manager, will be host at a cocktail party May 22, celebrating his 25th year with the company.

•

EDWARD RUFF, Paramount New Haven exchange manager, and MRS. RUFF will go to the coast by boat, leaving May 19.

•

LOU POLLOCK, Universal eastern advertising and publicity head, and HANK LINET, his assistant, brought in a barracuda and a kingfish on their first fishing trip this spring.

•

FRANK LAGRANDE of Paramount News Laboratory is taking part in technical discussions on "Gulliver's Travels" at the Fleischer Studios, Miami.

•

ALFREDO MURUA, head of the Side studio, leading producing company in Buenos Aires, arrives today from there on the *Brazil.*

•

FRANK BUTLER, Paramount writer, is on a leave of absence from the studio, following completion of "The Star Maker."

•

SAUL JAFFE, formerly with Columbia, has formed the Vitaprint Corp. to develop stills for film companies.

•

ROBERT GILLHAM, Paramount advertising and publicity director, arrives in New York today.

•

IRVING GRIFFLER is the new assistant to LEO SCHAPIRO at the Guilford in Guilford, Conn.

•

PHIL REISMAN, RKO foreign chief, returned yesterday from Europe. He was gone 10 weeks.

•

AL ROSEN, producer, is in town.

## *Drama Guild Meets*

Dramatists' Guild council met again yesterday to consider modifications to the Minimum Basic Agreement which may reintroduce Hollywood backing to the legitimate stage. The meeting, however, found itself unable to arrive at any decision in the absence of Sidney R. Fleisher, Guild attorney.

## *Prida to Mexico City*

Pablo Prida, who operates the Rex, Mexico City, returns there tomorrow by plane. He is a descendant of Benito Juarez. Quintin Rueda, chief of the Mexican Government Department of Press and Publicity, leaves tomorrow for San Francisco and Los Angeles. Both were at "Juarez" premiere.

## *G. N. Lists Four*

Grand National has slated two features and two westerns for late May release, the first pictures added to the company's schedule since February. Features are "Exile Express," with Anna Sten, and "Panama Patrol," second of the Cipher Bureau pictures. Westerns are "The Singing Cowgirl" and "Six-Gun Rhythm."

## *Para. Board Meets*

A special meeting of the Paramount board of directors was held at the home office yesterday. Barney Balaban, president, was back from the "Union Pacific" world premiere in Omaha in time to attend.

# Studios Increase Pace; 40 in Wor

HOLLYWOOD, May 1.—Producti increased this week to 40 pictures b fore the cameras, as 14 started a 12 finished. Twenty are being p pared, and 59 are being edited.

Those started were: "Parents Trial," "Coast Guard," Columb "The Real Glory," Goldw "Stronger Than Desire," "Lady the Tropics," M-G-M; "The G from Nowhere," Monogram; "Hom work," "Our Leading Citizen," Pa mount; "Way Down South," Less RKO; Elsa Maxwell's "Hotel Women," 20th Century-Fox; "In C California," "Inside Informatio "The Phantom Creeps" (serial), U versal; "Not Wanted," Warners.

### Many Important Films

In addition to these, shooting wer "Good Girls Go to Paris, Too," "M Smith Goes to Washington," "Gold Boy," "The Man from Sundow Columbia; "Music School," Goldwy "On Borrowed Time," "Andy Har Gets Spring Fever," M-G-M; "Ger imo," "The Cat and the Canar "Heaven on a Shoestring," "T Star Maker," "Disputed Passag "Ruler of the Seas," Paramou "Memory of Love," "Caree RKO; "Mountain Rhythm," R public; "Gone with the Win Selznick International; "Second F dle," "Charlie Chan at Treas Island," "The Rains Came," "T Jones Family at the Grand Canyo 20th Century-Fox; "The Sun Ne Sets," "Winter Carnival," Wang U. A.; "The Old Maid," "Dust My Destiny," "The Hobby Famil Warners.

Finished were: "Maisie Was Lady," M-G-M; "Across the Plain Monogram; "Million Dollar Leg Paramount; "Little Mother," "F Came Back," "The Dove," RK "Tidal Wave," "Daredevils of the R Circle" (serial), Republic; "The M in the Iron Mask," Small-U. A "East Side, West Side," 20th Ce tury-Fox; "Old Grad," Univers "Lighthorse Harry," Warners.

Seventeen short subjects are in t cutting rooms. Warners started o which is still shooting, and RKO h one in production. M-G-M finish two, and RKO one. M-G-M is p paring two.

MOTION PICTURE DAILY
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# ARINGLY DIFFERENT...
# EIRDLY FASCINATING...

At rare intervals a picture suddenly appears...from nowhere...a sleeper... which compels the attention of even trained observers. **BLIND ALLEY** is such a picture. If you can visualize a picture story in which psychiatry becomes a dramatic element...a murderer's mind reconstructed piece by piece to show why he kills...gripping, grim realism on an ascending scale...

That Is **BLIND ALLEY.**

COLUMBIA PICTURES

# THE FINEST REVIEW
# EVER RECEIVED

**NEW YORK Herald Tribune**

CRAZY Sam Houston has been given a first-rate screen biography in "Man of Conquest." Although the film is a product of Republic Pictures, which usually turns out "quickies," there is nothing slipshod about this Capitol offering. On the contrary, it is a handsome and remarkably faithful historical photoplay—the peer of any of the motion picture's recent researches into the burgeoning period of our West. With Richard Dix giving a solid and powerful portrayal of the title role, fine supporting characterizations and fast-paced direction, it is an instructive and vastly entertaining show.

One of the greatest of our pioneer fighters and statesmen was not called crazy for nothing. It is to the everlasting credit of "Man of Conquest" that it makes no bones about Houston's frailties, but presents him with all the contradictions of personality that make for a man rather than a mere figure. The film introduces him as he is enlisting in Andrew Jackson's army of squirrel hunters which beat the British at New Orleans; it resolutely documents the Houston carousing which broke up his first marriage and shows him torn between personal greed for power and patriotism before his valiant defense of Texas which led to that state's incorporation in the Union. The narrative is inevitably sketchy, but it rings curiously true.

To a large extent this is due to the fact that few of the principals have been definitely typed. The players in "Man of Conquest" fit their roles persuasively, as they did in "Stagecoach," and the result is a film which really evokes the past, instead of using it as a springboard for the exploitation of personalities. When Houston goes on a four-month drunk after his wife leaves him, when he champions the Cherokee Indian nation, pits his wits and loyalties against those of Andrew Jackson, or changes from an exploiter of Texas to the avenger of the Alamo, the human texture of the screen drama is not only rich in color and excitement, but it is highly convincing.

Mr. Dix reclaims all of his past renown in his steady and many faceted portrayal of the Tennessee titan who made American expansion into the Southwest possible. He looks and acts the part of "a common man," searching restlessly for a place to stretch his soul in a country of rapidly shifting frontiers. He succeeds thereby in stamping the production with its individual character and making it cohesive. It is good to see him playing at the top of his form again. Edward Ellis is little short of triumphant as Andrew Jackson, Gail Patrick is definitely acceptable as Margaret Lea, who is a romantic foil for Houston in the latter portions of the photoplay, and Robert Barrat gives a vivid impersonation of Davey Crockett of Alamo fame. For that matter, the whole company knows its business and acquits itself in excellent manner.

While the script spans too many years not to be episodic, George Nichols jr. has staged it with considerable suspense and continuity. There are some rather obvious montage effects, but when the action reaches a genuine climax, such as the battle on the banks of the San Jacinto, when Houston whipped Santa Ana's superior forces, the film becomes a splendid martial pageant. Always the situations are based on character and authentic incident rather than the romantic conceptions which Hollywood so frequently employs in its reconstructions of vanished eras. "Man of Conquest" is a notable and intriguing addition to the screen's collection of Americana.

---

**The New York Times.**

## 'Man of Conquest,' a Spectacle-Charged Biography of Sam Houston, Reminds the Capitol of the Alamo

By FRANK S. NUGENT

Hollywood's Good Neighbor program, so proudly begun by the Warners' "Juarez" went into full retreat yesterday when Republic's "Man of Conquest" swept into the Capitol with the war cry, Remember the Alamo! and a jubilant reenactment of the rout of Santa Ana's army at San Jacinto. It is not a tactful film, but it's a remarkably good one, colorful, vigorous and dramatic. It is based, of course, on the life of Sam Houston, one of the stormiest petrels in our national history, and it cunningly justifies the revolution in Texas and its subsequent annexation by the United States as a victory of democracy over dictatorship.

Even Andy Jackson is privileged to make a forward-looking comment upon that theme. "Up in Washington you said we'd buried freedom under a pile of dirty politics," he tells Sam Houston. "Well, just remember that America is still the land of the free—and there's many a brow-beaten people who'd trade their dictatorships in a minute for a good dose of our dirty politics. Not that our brand of freedom ain't got its faults—couldn't help it being run by ornery humans like Congressmen and you and me. But I reckon that the United States is still the only place in the world where a man can cuss the President out loud and all the President can do is cuss back or else go fishin'. That's what I call democracy."

Or good old homespun philosophy which sanctifies a cleverly staged land-grab and charitably ignores—or blames on white renegades—the bilking of the Cherokees and the scrapping of their treaties.

But that is apart from the picture itself and should not discredit it. For it is, in the main, an admirably contrived biography, honest enough to mention Houston's sodden spree among the Indians, making dramatic capital of his progression from self-aggrandizing adventurer to instrument of national development. Houston, as Richard Dix has played him, is a full-bodied portrait, earthy, human and virile. Scarcely less notable is Edward Ellis's performance of Andrew Jackson, Houston's political godfather. By a strict interpretation of the script, the film's Old Hickory would have been combination saint and prophet. Mr. Ellis, with a lift of an eyebrow or a twitch of the mouth, has managed to suggest that the halo is gilded, that Andy was the wily old rascal history proves him to be, a statesman of highly practical idealism.

The picture finds Houston almost at the beginning of his astonishing career, but whisks him quickly through all its early stages and does not pause until he has resigned the governorship of Tennessee because of the Eliza Allen scandal. It hurries forward again, through his wound-licking sojourn with the Cherokees, to the Texas campaign with the massacre of the Alamo and, climactically, the surging charge of the outnumbered Texans through the siesta-numbed ranks of the Santa Annans. And before the effect of the battle spectacle has had time to wear off, the picture telescopes the seven years between Texan independence and Texan annexation and ends—with a victory for Jacksonian democracy over Mexican dictatorship.

Obviously, not a good-neighborly attitude, but a picture well worth seeing and hearing.

---

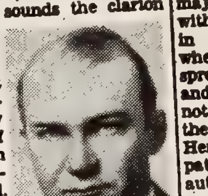
**New York ~~World~~-Telegram**

## "Man of Conquest" Called Epic Film

### Richard Dix as Sam Houston Comes Into His Own Again.

By WILLIAM BOEHNEL.

Salute with twenty-one guns a fine, rousing, spectacular blend of Americanism and adventure called "Man of Conquest," at the Capitol, which not only sounds the clarion call of freedom and democracy in high, resounding notes but relates its message of liberty and the right of man to govern himself in a vigorous, colorful, thrilling manner. Salute, too, the return to his former prestige as an actor, forthright, capable beyond praise, of Richard Dix, who hasn't had such a meaty role as Sam Houston since the days he appeared in "Cimarron."



William Boehnel.

What makes "Man of Conquest" the epic film it is is the simple fact that it never once sacrifices action or drama on the altar of propaganda. In its simple, direct, beautiful prose it restates the principles on which this nation was founded and will continue to exist, world without end, God willing, but it does so with a full realization that without dramatic conflict, without suspense and action its message, no matter how fiery or sincere, isn't worth a hoot in hell. For it is a truism of the cinema that before you can preach you must first entertain.

#### Strong, Vibrant Stuff.

And how "Man of Conquest" entertains! From the very beginning it is rough, strong, vibrant stuff, heroic in characterization, sweeping in scope, majestic in sentiment, for it deals with a two-fisted empire builder in a colorful and courageous era when a young but mighty nation was spreading westward and southward and when men and women thought not only of their sacred rights for the day but for the future as well. Here, then, is the very stuff of which patriotic spectacles are made and authors, director and players have made the most and best of it.

This is the story of Sam Houston, soldier, politician, adventurer, man of the people and lover of liberty and justice. It begins with Houston's unhappy first marriage to Eliza Allen, how he becomes a member of the Cherokee tribe out of disgust at the treatment he has received from the white men, how he gives up his Indian allegiance in a deal with Andrew Jackson to save the redmen's land, and how, finally, he leads the Texans to victory against Mexico and marries Margaret Lea.

#### A Career Story.

In its outline it is a career story of a pioneering American, but in its substance it is a dignified, simply stated plea for liberty and justice as well as a rip-snorting, red-blooded story of love and adventure, which you cannot afford to miss.

The cast is excellent. Richard Dix, long one of the finest actors on the screen, comes into his own again as Houston, giving a performance that is matchless in its conception and execution. Joan Fontaine is properly pretty and fragile as Eliza, Gail Patrick is stanch and true as Margaret Lea and there is a truly fine characterization by Edward Ellis as Andrew Jackson. The others in the cast include Victory Jory, Robert Barrat, George Hayes, Ralph Morgan, Robert Armstrong, C. Henry Gordon, Janet Beecher and Pedro de Cordoba, and they couldn't be improved upon.

---

**DAILY NE**

© 1939 by News Syndicate Co., Inc. NEW YORK'S PICTURE NEWSPAPER

## Richard Dix En
## Houston With

By KATE CAMERON.

"Man of Conquest," Republic picture, screen pla
E. E. Paramore Jr. and Jan Fortune based on story b
and Wells Root, directed by George Nicholls Jr. and
Capitol Theatre.

★ ★

It's good to
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and the gusto wh
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Sam Houston, in t
of Conquest," h
order for him.
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hero of fictional
man, for all that.
politician and a n
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George Nichols
the film for Repu
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A Faithfu

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and follows him
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The Jacinto batt
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of "Remember the
The cast support
is an able one. Ed
an impressive pict
as campaigner and
Fontaine is a pretty
and Gail Patrick
more sympathetic
ton's second wife.
The balance of th
includes Victor J
Robert Barrat as
George Hayes as
friend, Lannie U
Morgan as the peace
Austin, who tried
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bellion against the
ert Armstrong as
C. Henry Gordon
General, Santa Ann
There is a sweep
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is tremendously i
the whole historical
Tenessee to Washin
is intensely interesti
This is the most
ture that Republic
several years and t
fies the time, troub
expended on it.

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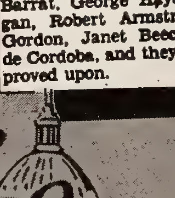
*Now playing*



*Capitol* THEATRE ·

# NY MOTION PICTURE

# READ EVERY WORD!

## New York ournal American

CHARACTER QUALITY ENTERPRISE ACCURACY
AN AMERICAN PAPER FOR THE AMERICAN PEOPLE

**By ROSE PELSWICK.**

A bang-up historical drama, the Capitol Theatre's "Man
Conquest" tells the story of Sam Houston and the fight for
as independence from Mexico. It's also the first million-
ar production from the studios of Re-
lic Pictures, whose product has hith-
been on the low budget side and
se initial ambitious venture is a sat-
ctory one.

Filmed on a large and sweeping
, the picture is packed with action,
ring stirring battle scenes, Indian
ts and an interesting recreation of a
rful period in American history. The
ax, of course, is the battle of San
nto, an impressively staged sequence
which the Texas soldiers defeat Mex-
troops with the rousing war cry,
member the Alamo."

Richard Dix, starred in the title
gives a convincing performance and
sisted by a large and able cast. Char-
rizing him as an adventurer, poli-
n and soldier, the film is a biograph-
account of Houston from the days when he trapped and
ed with the Cherokees until the time when he helped bring
t the annexation of Texas by the Union.

**RICHARD DIX**
Cast as hero in Texas' fight for freedom

friendship with Andrew
on, whom he joined at New
ns, his campaign for Gov-
ship of Tennessee, his un-
first marriage and his
on by the Cherokee tribe
raced in considerable detail
the first part of the film.
second half of the picture
ns itself with Houston's part
history of Texas.

it's the second half that
ns most of the action, show-
ouston starting off to carve
npire for himself in the
west and ready to lead other
urers in a revolution that
make Texas a free state.
ed at first by Stephen
who did not want to fight
's general, Santa Anna, he
both Austin and his fol-
to his side after Santa
massacre of the garrison
Alamo. And, persuaded by
n, now President, of the
ty for Texas becoming part
Union, he leads his men to
at San Jacinto.

otic in theme and vigor-
andled, the picture is good
inment. In addition to Mr.
cast includes Edward El-
o contributes a believable
of Andrew Jackson; Gail
who is charming as the
woman who became Hou-
second wife, even though
bit too glamorously made
a pioneer girl. C. Henry
as Santa Anna; Ralph
as David Crockett, and
Armstrong, Robert Barrat
rge Hayes as a few of the
oting citizens of the day.

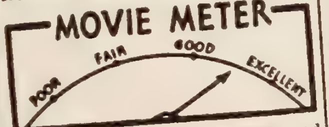
---

## New York Post

### Colorful Career of Sam Houston Faithfully Taken From Biography

**By ARCHER WINSTEN**

The lives of most men need considerable dramatic needling to make them adequate scenarios for movie thrills. Even historical figures in the center of great events require the molding of the fictioneer. But the life of General Sam Houston, liberator of Texas from Mexican rule, Governor of Tennessee and Texas, United States Senator, intimate of President Andrew Jackson and adopted son of a Cherokee Indian chief sounds like the pink elephant phase of a Hollywood scenarist.



When you see "Man of Conquest" at the Capitol Theatre your natural assumption is that Republic Pictures, an outfit given to sensational Westerns, couldn't control itself But reference to the authoritative life of Sam Houston, "The Raven," written by Marquis James, reveals an astonishing thing. "Man of Conquest" follows Houston's life with praiseworthy accuracy, omitting or telescoping incidents only because there are limits to time, footage and scenery.

When you see Houston drowning his sorrows among the Indians, consuming whisky out of what seems to be a Vat 69 four-fifths, remember that the real Houston, a hero of Gargantuan proportions, drowned that sorrow in barrels, not bottles. Nine barrels, to be exact: four of Monongahela whisky, one corn, one cognac, one gin, one rum and one wine. The Cherokees, his adopted brothers, began calling him "Ar-dee-tah-skee," which means "Big Drunk."

This period followed his Governorship of Tennessee, which he had resigned due to the mysterious tragedy of his first marriage. Before that he had been a pioneer, a soldier of reckless courage and a friend of the Indians. Afterwards he returned to sobriety, fighting a canny military campaign against the Mexicans, becoming the President of Texas, and later its Governor when it entered the Union.

When the Civil War came Sam Houston, whose physical courage had never been in question, rose to heights of moral courage. He opposed Secession when that was the most unpopular thing a man could do in Texas.

Needless to say, this astonishing life cannot be covered completely in the compass of a feature-length picture. I must confess that the acting and production values, while a prodigious advance for a small company like Republic, are undistinguished compared to epic efforts of a major company.

Richard Dix is a sincere and straightforward actor but incapable of projecting a brilliant interpretation of a historical figure. Joan Fontaine as his first wife and Gail Patrick as his second are a couple of good-looking actresses. Robert Barrat and Robert Armstrong as Davey Crockett and Jim Bowie are nothing out of the ordinary. George Hayes, the comic figure of the "Hopalong Cassidy" series, figures as Houston's companion on his long drunk. That's all right, but there again Hayes is just Hayes. He doesn't help create the illusion of 1830 in the Midwest. Our familiar villain, C. Henry Gordon, takes over the villain's role as Santa Ana. Only Victor Jory as William Travis and Edward Ellis as Andrew Jackson give more to their roles than the honest, journeyman minimum.

The lion's share of the praise for "Man of Conquest" goes to Sam Houston, the pioneer who lived a ready-made movie scenario just as if it were a man's life. All the producers had to do was try to come reasonably close. They did very well, all things considered.

---

## The Sun

**By EILEEN CREELMAN.**

Hollywood is continuing to discover America. Its latest bit of flag-waving, "Man of Conquest" at the Capitol Theater, is a more welcome picture than most. This is sound melodrama, a spectacular outdoor piece with a real character to lead its action. "Man of Conquest," in fact, is one of the best American historical films in a year filled with good Westerns.

This is the story of Sam Houston, who was quite a man. The title, in spite or because of its blatantly dramatic quality, exactly suits Sam Houston. He was just that, a man of conquest, fiercely ambitious, eager to lead, willing to fight. He seems to have been in and out of trouble all his life. Always he had good friends. Usually he had a fight on his hands.

"Man of Conquest" tells of some of those fights, tells of them in strong dramatic terms, remembering that motion pictures should move, that audiences enjoy action. "Man of Conquest" gives them action, from that first glimpse of young Sam coming home from a year of hunting with the Indians through his political success, his tragic marriage with Eliza Allen, his flight back to the Indians, and that last wild adventure in Texas. It was Sam Houston who brought Texas into the Union; and it was really Texas who brought Sam Houston into the Union too. His conquest of that State made him realize for the first time that he was really a white man, and an American.

All this makes for grand frontier drama, and as stirring a spectacle as the movies have given us for a long time. Hollywood likes to describe this type of film as an epic.

Perhaps "Man of Conquest" is an epic. It's a most worth while picture anyway. Richard Dix, the hero of "Cimarron," plays Sam Houston with a vigor and intelligence that brings the character to life. Edward Ellis, the doctor of "A Man to Remember," is Andrew Jackson, a colorful character and well played. Gail Patrick is the courageous, understanding Margaret, and Joan Fontaine the first wife, who was terrified by her husband and by his life.

"Man of Conquest" takes in quite a lot of territory, wandering from Tennessee to Arkansas, to Washington, and down into Texas, then part of Mexico. The political drama of the book is particularly interesting in this year of 1939, once more demonstrating that one's viewpoint all depends upon what country is seizing whose land. The American settlers in Mexico were dissatisfied with the Government. With Sam Houston at their head, they rebelled and took Texas away from Mexico. "Man of Conquest" looks upon this with approval, and makes the settlers' revenge for the Alamo a rip-roaring battle. If Republic can keep up to the standard of this, its first big picture, there will be a new company to reckon with among the major studios.

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## DAILY MIRROR

PARTLY CLOUDY
Details on Page 6.
Member of The Associated Press
(Copyright, 1939, Daily Mirror, Inc.)
3 Cents Outside City L

Long dedicated to Metro masterpieces, the august capitol with those nice logue seats, this week sensationally presents the product of a modest independent film company, Republic, which made "Man of Conquest." The film is far from modest: it is big. Rousing, stimulating, exciting, it is the story of Sam Houston and of Texas, ambitiously produced and staged.

With Richard Dix as Houston, heading a big cast, it is one of the most elaborate productions to have come from the side-street studios, and it fully justifies the daring investment in it by matching the most pretentious epics of the big ones.

Dramatizing Houston's personal life and the blow which drove him from Tennessee to the wilderness which once was Texas, the film traces the career of that bizarre man to the eventual admission of Texas to the Union in '45. Packed with fighting, uproad, immediate history, it is drama to stand the hair on end and to provoke whoops.

Dix does as impressive a job as Houston as he did as the pioneer editor of "Cimarron." He hasn't had such a role in many seasons and he appears to have relished his opportunity. Gail Patrick, as the heorine, Edward Ellis, Victor Jory, Robert Barrat, in their historic roles, all abet him most ably.

"Man of Conquest" is vital, rousing history, recorded in a vigorous, exciting play. It is big, sweeping and splendid. It waves the flag, true, but not too obtrusively. The fans will be enthusiastic over it.

---

N.Y.C.

**Republic**
THE INDEPENDENT
MAJOR COMPANY

# Warners Oppose Making Spanish Pictures for S.A.

(*Continued from page* 1)

foster good relations and encourage the building of new theatres."

Macdonald said, however, that Warners have lost some ground in Argentina because of the demand for Spanish language films, although it is still a leader in that country. Warners are dominant in Brazil and strong throughout Latin America, he said.

Blocked currency is not a problem except in Chile and Brazil, and the problem will be ironed out in the latter country as a result of the large credits recently negotiated through the U. S. government, he added.

### Taxes Serious Problem

"The less said about how profitable Latin America is for American companies, the better," Macdonald said. "Talk of this kind will lead to new taxes and restrictions. The tax problem is serious. In Panama alone there are 17 different kinds of taxes."

Warners will distribute 36 films in Latin America, with plans made for early release of "Juarez," "Dodge City," "Dark Victory" and "Confessions of a Nazi Spy." Macdonald may return to his territory in a few weeks in connection with these films.

Macdonald held sales meetings in Buenos Aires, Rio de Janeiro, Santiago, Lima and Panama. The company has 33 branches and agencies in the territory. The Warner exchange in Concepcion, Chile, was destroyed in the recent earthquake and will be rebuilt.

Mexico made 60 pictures last year, Macdonald reported.

# *Oppose U. S. Move In Anti-Trust Fight*

(*Continued from page* 1)

been in vogue in the industry.

Bills of particulars in response to demands by Columbia Pictures and United Artists Corp., and pursuant to decisions by Federal Judge Bondy, will probably not be filed until Judge Bondy rules on the application of the government, which will be argued on May 5, to dispense with the naming of witnesses under Item 8 of the demand, it was learned.

The government wishes to avoid making similar new applications in reference to these bills of particulars.

# *New York Preview*

## *"Lucky Night"*

(*M-G-M*)

"Lucky Night," a comedy romance starring Robert Taylor and Myrna Loy, requires frequent stirring to give it the effervescent quality that stories of this type require, but even under such stimulus there are moments when the picture disappoints.

Myrna Loy and Bob Taylor strive hard, and in the main, succeed in playing well the parts of a pair of rebellious, heady young people who toss aside all manner of convention to achieve some fun. Director Norman Taurog does as well as he can, in his particular forte—which is usually of the best—but he trips up, along with the stars, because of dialogue that is so out of keeping with the players and their characters, that it frequently drew unflattering laughter from the preview audience.

The story, by Oliver Claxton, and screenplay by Vincent Lawrence and Grover Jones, travels the axis of numberless comedy romances that are prototypes of this one—rich girl, fed up with the ennui of society life, kicks over the parental traces, sets out to find herself a job and winds up on a park bench, broke and hungry. There she meets up with a young man in similar circumstances, save that he is not a rich man's son.

Individually ill-starred, as a team their luck changes, and through a series of adventures ranging from hitting the jackpot of a coin machine with their last nickel, and capturing a robber and obtaining a reward, they visit the cafes to celebrate, imbibe freely, and end up married. There is much emphasis on intoxication and the marital status is not taken with much seriousness. There is a bathroom gag that might well be out.

The picture moves at a good pace, is attractively set, and Taylor and Miss Loy—particularly the former—try hard to carry their parts, but the dialogue trips up the players occasionally. It is entirely out of keeping with the man-of-the street part that Taylor plays, for example, for him poetically to describe his wife to her own father as a leaf of a tree.

Running time, 82 minutes. "G."*

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*"G" denotes general classification.*

# *British Tax Slash Hopes Maintained*

(*Continued from page* 1)

Technicolor director, and Captain Cazalet. Baillie foresaw the close-down of Technicolor and said import duties would total $250,000 and excise duties $130,000. He prophesied the disappearance of the British color film industry and asked that the Chancellor receive a deputation. The Chancellor sidetracked the deputation suggestions, referring to trade representations currently made to the Treasury.

# *'Sinner' Korda Title*

LONDON, May 1.—"Sinner" will be the title of the film based on Prevost's "Manon Lescaut," which Alexander Korda will direct personally. The film goes into work June 1.

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# *Carr Directs Attack Upon Quality Clause*

(*Continued from page* 1)

effects of the recent British increases in duties and excise taxes on films, asserting that while they were designed to return an additional "four to five million dollars in revenue," he does not "see how the American companies' share of this will amount to three million," as estimated here.

This is Carr's first trip here in three years. After attending the company's Hollywood sales convention he will visit in New York until the first week in June, when he plans to sail for London.

### Silverstone Luncheon Host

Murray Silverstone, United Artists chief executive, was host at the Tavern yesterday at a luncheon for Carr.

United Artists executives who attended included Arthur Kelly, Harry Gold, Jack Schlaifer, Lynn Farnol, Paul Lazarus, Emanuel Silverstone and Walter Gould.

Silverstone, Carr and Farnol leave for the coast by train today to prepare for the company's national sales convention opening in Hollywood next Monday. Sales officials will leave tomorrow with the eastern sales delegation, joining the company's convention special in Chicago the following day. Emanuel Silverstone leaves for the meeting Thursday.

# *Fix French Corp. Claims*

Federal Judge William Bondy has fixed claims against French Motion Picture Corp. at $14,500. The company filed a petition for a reorganization last year.

# *See $300,000 N. Y. Censorship Revenue*

**Albany, May 1.—Both Governor Lehman and the New York State legislature concur in setting approximate revenue from the review and licensing of films at $300,000 for the fiscal year of 1939-'40. In 1937, more than $306,000 was collected and estimates on the present fiscal year ending July 1 are a litt[illegible] higher.**

# Monogram Chiefs Leave Tomorrow

(*Continued from page* 1)

tor of Greater Union Theatres in Australia, also will make the trip. From the N. Y. exchange will be Joseph J Felder, William Moses, Charles Penser, Ben Schwartz, Irving Landis and Sol Kravitz.

Others attending will be Steve Broidy, Ben Welansky, Leo F. Britton, Nat Furst, Eugene J. Gross and Ben Stein, Boston; Sam Rosen Charles C. Hite, Samuel Palan, W. Z. Porter, and Moe Sherman, Philadelphia; Harry Bachman, Ben Oletsky, Harry Crull and F. E. Taylor, Washington; E. E. Lowe, Albany; John Mangham, Fred Mathis, M. E. Wiman, Randall Bryan and P. H. Savin, Atlanta; Harry Berkson, Nathan R Sodikman, Mitchell Pantzer, Buffalo; M. L. Stevens, W. E. Osborne, J. E. McElroy, Charlotte; Henri Elman Charles Landau, Morris Hellman, Jack Barry, Seymour Borde, Chicago; William Onie, Milton Gurian, Robert Drew, W. J. Burns, Cincinnati.

Also Nate Schultz, Lee W. Chapman, Sam Schultz, Jack Finberg, Cleveland; Ed Blumenthal, John Franconi, Connie Dreher, Jack Gruben, W. J. Cammer, Dallas; Lon T. Fidler, Denver; Forrest E. Judd, Walter Lohman, Des Moines; William Hurlbut, Jack Saxe, M. Harlan Starr, Lou Greenley, George Custer, Detroit; Carl Harthill, Barney Woolner, Indianapolis; Lester Durland, Ralph Schertzer, M. G. Shackelford, Kansas City; Howard Stubbins, Ray Olmstead, M. J. McCarthy, Los Angeles; W. G. Carmichael, Joe W. Jones, Memphis; Charles Trampe, Edward C. Krofta, H. Edward Lurie, William Kent, Milwaukee.

Also Ben Nathanson, Charles Weiner, Morris W. Steinman, Minneapolis; Philip Sherman, New Haven; Harry Spann, W. C. Aiken, New Orleans; Carr Scott, Claude A. York, R. J. Clarke, G. E. Benjamin, Oklahoma City; S. J. Francis, Elmer Huhnke, Omaha; Mark Goldman, Jack Cohen, William Liebler, Saul Perilman, Pittsburgh; Cecil Farnes, Portland; Robert Taylor, Lester Levy, Bert Day, St. Louis; W. W. McKendrick, A. K. Shepard, Salt Lake City; F. H. Butler, G. P. Allen, San Francisco; A. M. Goldstein, D. D. Matin, Seattle; and H. L. Nathanson, Canada.

# *Metro Signs Robinson*

HOLLYWOOD, May 1.—Edward G. Robinson has been signed by M-G-M for the lead in the film temporarily titled "Blackmail." The studio has signed Carey Wilson to a long term contract as a writer.

## etters Commend 'NBC Alcohol Ban

:BC has received more than 2,000 ers of endorsement from church college authorities, housewives parent-teacher associations since company announced at the F. C. C. hopoly hearings its policy of pro- ting the advertising of all types of lic beverages over its networks. extension of the company's long- nding ban against liquor advertis- on network programs, the new icy prohibits the advertising of beer wines on any broadcast over either Red or Blue network. It does not, wever, determine the policy of in- idual stations not owned or con- lled by NBC. Of the 173 stations liated with the company, NBC has oice in the local broadcasting poli- s of only the 15 stations which it ns or services completely.

he letters resulting from the action banning beer and wine from the works represent the greatest un- cited amount of mail ever received NBC in connection with a com- y policy.

## BS Planning Five Educational Shows

BS Department of Public Affairs Education has fashioned five new ograms, starting over CBS this onth and next. They include: emocracy in Action," "World of morrow," "Scales of Justice," "Bull ssion" and "Women in the World Tomorrow."

"Democracy in Action" starts May , succeeding "Americans All—Im- grants All," recent Women's Na- nal Radio Committee prize winner. S. Department of Education is pre- ring the program. Albert Warner, wspaperman lately appointed to head e CBS Washington division, will esent a new commentary series Sun- ys, beginning this week; "Scales of stice" will start Saturday and will esent leading penologists. Also on turday, "Bull Session" will begin d will feature college students in scussions, while "Women in the orld of Tomorrow" will be pre- nted by the Women's National adio Committee in a Saturday series, e starting date of which is not set.

## rosley's Net Profit $208,915 for Quarter

Cincinnati, May 1.—Crosley Corp., perating WLW, WSAI, W8XAL ad W8XNU, and manufacturing ectrical appliances, reports net profit $208,915 for the first three months this year, compared with a net loss $25,744 for the corresponding quar- r of 1938.

March 31 balance sheet shows total rrent assets of $5,284,850, and total rrent liabilities of $844,178, com- ared with current liabilities of $940,- 19 last year. Sales in the first quar- r were $4,014,476, compared with 3,144,269 in the like 1938 period.

## Facsimile Paper at Fair

"Radio Press," a facsimile news- aper, will be published daily by RCA cooperation with the New York *erald-Tribune* in the RCA Exhibit uilding at the World's Fair. Paper ill use news and pictures of the As- ociated Press and the *Herald-Tribune* ews bureau.

## ▸ Radio Personals ◂

GENE O'FALLON, owner of KFEL, Denver, here on business. . . . Eddie Cantor and radio troupe due here on Thursday from coast, for a stay of a number of weeks. . . . Ethel Merman added to cast of performers who will attend Professional Music Men's benefit Sunday. . . . Bob Smith, WOR salesman, the father of a new baby son. . . . Paul Gallico will appear in tonight's broadcast of "We, the People." . . . Phil Baker to Atlantic City for a vacation until next broadcast. . . . Laurence Olivier will be interviewed by Radie Harris over Mutual Thursday night. . . .Anita Wadsworth, 15-year-old contralto, has been booked for a series of concert tours during May, to be followed by a summer radio engagement.

## Mutual April Gross Climbs to $262,626

Climaxing a steady 12-month climb, billings for the Mutual network during April amounted to $262,626, an increase of 38.6 per cent over the corresponding month last year. The April, 1939, billings are an all-time high for the network.

Cumulative billings for the four months of 1939 thus far total $1,161,285, an increase of 22.8 per cent over the billings recorded for the same months in 1938, which amounted to $945,655.

## WJR Profit $131,729

WJR, Detroit, for the first quarter of 1939, has reported net profit of $131,729, equal to $1.01 each on the 130,000 shares of common stock. This compares with a net profit of $108,397, or 84 cents a share in 1937.

### Coverage

**President Roosevelt's speech in connection with the World's Fair opening received perhaps the most extensive coverage in radio history. Approximately 300 stations affiliated with NBC, CBS and Mutual, 33 stations of the Canadian Broadcasting Corp., and 16 independent New York stations carried the remarks. Short-wave stations of NBC and CBS short-waved the program to Latin America and Europe, while W2XBE, on Treasure Island, beamed the speech to Australia and New Zealand. Russia, Finland, Norway, Denmark, France and England requested NBC to serve them the program on a direct beam to rebroadcast over long-wave.**

## FCC Will Resume Radio Quiz May 11

Washington, May 1.—Further hearings will be held by the Federal Communications Commission beginning May 11, in connection with the monopoly investigation.

David Sarnoff, president of RCA, and George Engles, vice-president of NBC, will be recalled to the stand by the commission for cross-examination.

The commission has referred to its legal division the motion of Louis G. Caldwell, counsel for Mutual, that the commission ban renewal of network contracts beyond Dec. 31, 1940.

## Quaker Oats Renews

Quaker Oats has renewed for a full year the program of Tommy Riggs, which is broadcast Saturdays over NBC. Lord & Thomas is the agency.

## NBC-RCA Start Television With Ceremonies at Fair

NBC-RCA on Sunday climaxed three years of experimental television operations—at a cost estimated by the network to be in excess of $2,000,000—by televising the opening day ceremonies at the World's Fair grounds. For the remainder of the summer, NBC will telecast on a regular basis.

No estimate is available as yet of the number of television receivers in use—the number necessarily must be small as the receivers have just been placed on sale—but thousands witnessed the colorful opening ceremonies via television by taxing Television Hall at the World's Fair grounds, where scores of receivers were in operation. Hundreds more witnessed the television programs on the receivers in the RCA Building, New York. Additionally, a number of department stores, including Bloomingdale's, had television sets in operation in their display windows, with crowds of sidewalk passersby witnessing the program.

NBC will broadcast television programs Wednesday and Friday of each week, starting tomorrow, from 8 to 9 P. M., and Mondays, Tuesdays and Thursdays from 11 A. M. to 4 P. M.

Sunday's television program got under way at 2:09 P. M. when President Roosevelt's arrival at the World's Fair was "caught" by cameras. Others who faced the television camera and whose actions and talks were received by television were Mayor LaGuardia, Speaker Bankhead, Secretary of Agriculture Wallace, Attorney General Frank Murphy, Secretary of War Harry Woodring, Governor Lehman.

The television cameras were located approximately 50 feet from the speakers' platform and the images were sent over coaxial cable from that point to the control van and the ultra short-wave transmitter stationed at one wing of the Federal Government Building on the Fair grounds. The transmitter van relayed the pictures over a directional antenna mounted on a setback in one of the building's towers, on a frequency of 177 megocycles. A relay receiver at the Empire State tower, eight miles away, picked up the picture signal, which was then broadcast by W2XBS over a video channel of 45.25 megacycles, sound over 49.75 magacycles.

## Crosley Training Its Television Staff

Cincinnati, May 1.—"It is the opinion of our company that television is an unknown factor and, in order to be prepared for any eventuality, it is our intention to keep abreast of the new science by research and development in transmitting and receiving equipment, and in training personnel, both in the engineering and program department," declared Crosley officials when giving their first television demonstration to a group of newspapermen in the new studios being prepared atop the Carew Tower.

Images and sound were televised between rooms by wire rather than by radio waves, since the Crosley application for an experimental license to operate on 1,000 watts power for both the video and audio transmitters has not been approved.

## NAB Warns Firms' Shows Violate Code

Washington, May 1. — National Association of Broadcasters has notified several business concerns that their present method of broadcasting constitutes a violation of the N.A.B. Code of Ethics.

Publishers of Webster's Dictionary were offering a free script to radio stations in return for radio time. Script was a "word game" containing numerous plugs for the dictionary.

Similar scripts were sent out by the Washable Textiles Bureau and Harcourt, Brace & Co. N.A.B. has suggested to all three that they undertake a regular radio advertising campaign.

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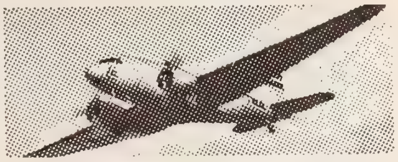

Less than a Day—By TWA!

Double your fun—when you travel to the San Francisco Fair! Fly TWA, and see Grand Canyon and Boulder Dam—2 scenic thrills you mustn't miss!

Only TWA offers you such a trip! Latest departure from New York—allows full evening at home.

LOS ANGELES or SAN FRANCISCO—*Overnight* via Skysleeper! Board TWA's "Sky Chief" 5:30 p.m.—arrive Los Angeles early next morning . . . in San Francisco at 9:45 a.m.

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# Jack Cohn to Head Columbia Delegates At Sales Convention

Jack Cohn, Columbia vice-president, will head a large delegation of home office executives who will attend the company's initial annual sales meeting at the Ritz, Atlantic City, beginning next Monday. Abe Montague, general sales manager, will preside at the meeting and also at those in Chicago and Los Angeles, which will follow it.

Among the home office men who will attend the Atlantic City meeting are Abe Schneider, Rube Jackter, Joseph A. McConville, Louis Astor, Lou Weinberg, Max Weisfeldt, Lou Jaffe, H. C. Kaufman, Maurice Bergman, Maurice Grad, C. Joseph, M. Hannock, A. Seligman, W. Brennan, F. McGran, Al Sherman, B. E. Zeeman, C. Roberts, A. Picker, V. Borrelli, Irving Moross, S. Liggett, J. Freiberg, S. Raisler, T. McCue, Irving Sherman, Harry Takiff and R. Bach.

Representatives from the following exchanges will attend also: Atlanta, Charlotte, Dallas, Memphis, New Orleans, Oklahoma City, Washington, Cincinnati, Cleveland, Pittsburgh, Albany, Boston, Buffalo, New Haven, New York and Philadelphia.

### To Remake "Front Page"

Remake rights to "The Front Page," Howard Hughes film released by United Artists in 1931, have been bought by Columbia from R. M. Savini, head of Astor Pictures.

# Mistrial Given on Coast Union Suit

Los Angeles, May 1.—Superior Judge E. H. Wilson, before whom counter suits over control of Technicians' Local 37 are being tried, today washed his hands of the matter by declaring a mistrial. He ordered the case set for hearing by another judge.

Denying I.A.T.S.E. officers' motion for a continuance, and again recommending a new election of Local 37 officers to settle the dispute over control of the local, Judge Wilson declared the International presented insufficient evidence to show that the Alliance's executive board had instructed President George E. Browne to order suspension of the local's autonomy and its officers.

The injunction obtained by the International restraining the local from interfering remains in effect. Charges of contempt for alleged violation of the injunction will be heard tomorrow. "The life of this union and benefits to its members are more important than who is to operate the organization," Judge Wilson said.

## *RKO Plans Three Bob Breen Films*

Hollywood, May 1.—Three new Bob Breen pictures will be made by Principal Productions (Sol Lesser) for RKO's 1939-'40 release. They are: "Master Skylark," "Open Road" and "All Wires Down." Barney Briskin will produce under Lesser.

## *Second Loew Booker Meeting Wednesday*

New Orleans, May 1.—Second of M-G-M's series of regional conferences for office managers, bookers and checking supervisors will start here Wednesday at the Roosevelt Hotel for two days.

Home office executives will come here from the Washington meeting. They are Alan F. Cummings, in charge of branch operations; Charles K. Stern, Loew's assistant treasurer; William Brenner, Harold Postman, Parke D. Agnew and M. L. Simons, editor of the *Distributor.*

Representatives from five offices will attend, as follows: Atlanta—Thomas E. Lucy, office manager; Sam B. Perloff, Harris B. Wynn, Jr.; Dallas—Anthony V. Philbin, office manager; G. Leroy Whitington, Vernon L. Smith; Oakland City—Lloyd W. Royalty, office manager; Roy M. Avey, Jr.; Memphis—Thomas B. Kirk, office manager; James F. Heard, Clifton B. Peck, Jr.; New Orleans—Eldon F. Briwa, office manager; Hypolite A. Arata, John G. Simpson, Herbert L. Schlesinger. Jimmie Briant, New Orleans branch manager, made local arrangements.

## *Legion Approves 12 Of 13 New Pictures*

National Legion of Decency approved 12 of 13 films reviewed and classified this week. Nine were found unobjectionable for general patronage, three unobjectionable for adults and one objectionable in part. The films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Chasing Danger," "Confessions of a Nazi Spy," "Feud of the Plains," "Heritage of the Desert," "Juarez," "Return of the Cisco Kid," "The Rookie Cop," "Smoky Trails," "Union Pacific." Class A-2, Unobjectionable for Adults: "Big Town Czar," "Calling Dr. Kildare," "For Love or Money." Class B, Objectionable in Part: "Lucky Night."

## *May 13 Dedication For Fair's Fun Area*

Formal dedication of the 280-acre amusement zone at the World's Fair has been scheduled for May 13 by President Grover Whalen. Barely 50 per cent of the concessions, villages, shows and rides were ready for Sunday's opening day, considerable work still being necessary to complete them for patronage.

### *Seek Pa. Blue Laws*

Harrisburg, Pa., May 1.—East Pennsylvania Conference of the Evangelical Church, in convention here, endorsed identical measures, now pending before both houses of the Pennsylvania legislature, calling for repeal of the Act of 1935 which permits Sunday films under the local option plan.

### *Benjamin to Chicago*

Chicago May 1. — William Benjamin, Detroit branch manager for Grand National, is due here late this week to take over the G.N. branch. He succeeds James Winn, who resigned to become Warner branch head in Kansas City. Winn was with Warners before joining G.N.

### *Celebrate or Else—*

**Berlin, May 1.—All theatres in Greater Germany were required to close today for the national May Day celebration and all employes were required to participate in the parades. Theatres were permitted to reopen at the conclusion of the celebration in the evening.**

# Labor Day Closes Mexico Theatres

Mexico City, May 1.—All theatres in Mexico were closed today because of the national Labor Day which is rigidly observed. Losses are estimated at upward of $30,000.

Exhibitors this year did not attempt to argue with the employes against their taking part in the processions and other exercises glorifying labor. Radio stations, unaffected, put on special programs.

## *Palfreyman Given Allied Parley Post*

Dave Palfreyman, in charge of exhibitor relations for the Hays office, has been officially appointed sergeant-at-arms for the national Allied convention in Minneapolis, June 13 to 15. Pete Harrison has been named his assistant.

W. A. (Al) Steffes, convention chairman, made the appointments at the Variety Clubs convention in Detroit late last week. Palfreyman has accepted.

## *Dickson Publicity Head for Goldwyn*

Hollywood, May 1.—Samuel Goldwyn has appointed Gregory Dickson as publicity director, replacing John Peere Miles, who will continue to handle special assignments on "The Real Glory" and "Music School," now in work. Dickson resigned as publicity director of Walt Disney Productions to take the Goldwyn post.

## *Walt Disney Wins Ruling in Australia*

An injunction permanently restraining L. F. Collin Pty., Ltd., from selling a songbook with a "Snow White" cover has been issued to Walt Disney by Justice Lowe of the Supreme Court in Sydney, Australia. The music was originated by the music publishers but is not connected with the Walt Disney film of the same name.

### *Contest Winners Here*

Ted Kirkmeyer, Marlow Theatre, Helena, Mont., and Ray Bell, Loew's Theatres, Washington, arrived yesterday to spend two days here as guests of M-G-M before sailing at midnight tonight on the *Normandie* for France. The trip was awarded them in a "Marie Antoinette" exploitation contest. Four winners in an essay contest on the film will sail with the theatre men. They will be gone five weeks.

# Hearing June 5 On RKO Rulin

Argument of the three appeals fro the decision of Federal Judge Willia Bondy confirming the plan of reo ganization of RKO was set for June by the Circuit Court of Appeals ye terday.

The court fixed that date wh denying an application of Hamil Rickaby, attorney for the Atlas , proponent of the plan, to dismiss t appeals of Copeia Realty Corp., a Ernest W. Stirn, because of failu to file records on appeal. The cou ordered Copeia and Stirn to file the records no later than May 22.

Atlas Corp. lost an application f an order directing the three appealir parties to file a consolidated recor The Circuit Court ruled that eac record be filed separately. H. Casse & Co. won permission to file a 70-pag brief, the rules ordinarily limitir briefs to 50 pages.

## *F. E. Wood Dead; Industry Pionee*

Hollywood, May 1.—Frank Wood, 79, producer, director and o of the founders of the film industr died here today following a long il ness. He is credited with inauguratir reviews of films and being the fir writer of scripts. With Thom Dixon, he wrote the script for "Bir of a Nation." He aided in foundir the Academy of Motion Picture Ar and Sciences. He was associated wi D. W. Griffiths, Thomas H. Ince, Mac Sennett and other film producers.

The funeral will be held here Thur day.

## *English Film Loan Action Is Starte*

London, May 1.—Trial of the su brought by Westminster Bank again 15 insurance companies involvir losses on more than $5,000,000 of i sured film loans started today. Sta ford Cripps, counsel for the plaintiff charged that the $5,000,000 loss w sustained in transactions involvir $7,500,000 in loans.

Total of 28 separate loans we made on 22 films, it was alleged, b only 14 were completed and som never started.

### *Leonard Joins RKO*

Hollywood, May 1.—Charles Leor ard, formerly of the United Artist publicity and advertising departmen has been named producer-home offic representative of Herbert Wilco Productions, Inc., and Max Gordo Plays and Pictures Corp., producin for RKO release. He will make hi headquarters on the RKO lot unde S. Barret McCormick, RKO publicit and advertising director.

### *Cut 31 Reels in Ohio*

Columbus, May 1.—Ohio censor re viewed a total of 499 reels in Apri from which 31 eliminations were or dered. There were 23 reels rejecte during the month. This compare with 733 reels reviewed and 33 elimi nations ordered in March of this yea and 500 reels with 21 eliminations i April, 1938.

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# Arnold Trust Views Favor Films, Belief

## Federal Officials Quiet on Legality Issue

WASHINGTON, May 2.—The "rule f reason" which Thurman Arnold, ssistant to the Attorney General, told merican Trade Association execu-ves should be applied to any rigid nforcement of the anti-trust laws, oes not necessarily apply where the lm industry is concerned, it was sug-ested in informal discussion of Ar-old's talk at the Department of Jus-ce today.

Department officials refused to com-ent on a possible relation to the in-ustry's trade practice program of that art of Arnold's address to the asso-iation executives in which he said hat concerted action on the part of roups of competitors in order to in-ure orderly marketing conditions hould not be considered unreasonable.

The most that department officials ould say was that there is a differ-nce, in their opinion, between com-eting film distributors, each of whom ffers a different product, and, for nstance, competing distributors of lass milk bottles, all offering a prac-ically identical product.

It was also intimated that while the epartment is friendly toward orderly arketing activities in industries here they are necessary, it will not ermit actions which are detrimental o consumers in any industry.

## I. T. O. May Send Unit To Allied Convention

Harry Brandt, I.T.O.A. president, as written W. A. Steffes, Allied eader, offering to send an I.T.O.A. ommittee to the Allied convention in Minneapolis next month to participate n a discussion on the trade code.

## *Registration for NY World's Fair*

**Readers who plan to come to the New York World's Fair are invited to notify *Motion Picture Daily* in advance of or on their arrival, for registration. Thus those desirous of locating other industry visitors will be able to do so by calling at our offices or phoning CIrcle 7-3100, asking for "World's Fair Bureau."**

## *NBC to Televise Walt Disney Film*

**First studio program under NBC's new regular television schedule today will be started with the televised showing of a new Walt Disney vehicle, "Donald's Cousin Gus." The reel is scheduled for theatre release May 19.**

**Disney provided NBC with special black and white print of the picture, which in its original form is in color.**

# Loew 28-Week Net $6,368,847, After $900,000 Reserve

Net profit of $6,368,847 is reported by Loew's Inc., for the 28 weeks ended March 16 last, compared with $6,487,678 in the corresponding 1938 period. Reserve for contingencies was $900,000 for the period against $400,000 set aside as reserve in the same period last year.

The net is equivalent to $3.68 a share on the average number of common shares outstanding, compared with $3.76 during the same 1938 period.

Operating profit was $10,516,538, after deducting preferred dividends, as against $10,207,339 for the 28 weeks ended March 17, 1938. After depreciation and taxes, but before contingency reserve, income amounted to $7,268,847, against $6,887,678 for the comparable 1938 period.

# Theatre Business Shows Drop Here, Fair Gets Blame

With the World's Fair the big amusement magnet, some of the theatre circuits are finding business considerably off and anticipate the decline to continue for several weeks. Exhibitors are hopeful, however, that after the first interest in the Fair wears off among New Yorkers, business will return to normal.

This was the experience of theatres in Chicago during the 1935-'36 World's Fair. From the start of the Chicago Fair, loop theatres benefited while neighborhood houses suffered for about two months.

### Await Tourist Influx

New York operators believe that neighborhood grosses will be down for another month. But once the school vacation and tourist seasons start, the out-of-town influx to the Fair is expected to increase and Broadway houses are expected to benefit.

Loew's Cocalis and Brandt circuits are among those which report business off. Century Circuit said business is fair. RKO reported grosses are good and attributed this to quality pictures.

Legitimate theatres apparently have not been helped by the Fair as much as they expected. Three shows, "White Steed," "Oscar Wilde" and "The Gentle People" are set to close Saturday.

The League of New York Theatres, incidentally, has protested Police Commissioner Valentine's plan to make Times Square a playground for

(*Continued on page* 19)

# British Film Tax Certain, Says Simon

## *Chancellor Hints Some Revisions Possible*

LONDON, May 2.—Sir John Simon, Chancellor of the Exchequer, replying today in Commons to the demand for amendment of the new excise duties, guardedly offered little hope for a change in plans and made clear the Government's intention to tax the film industry, especially the American section.

The Chancellor protested his proposal in principle is perfectly good though adjustments are probably necessary. He tentatively suggested the excise tax might be adjusted on wastage of British production, but said he could not agree that he was preparing to inflict injury on British trade or discourage British films and "I am as alive as anyone to the importance of not putting a clogging burden on the British film industry, which everyone wishes to encourage."

The Chancellor said that the total box-office takings are between $225,-

(*Continued on page* 19)

# Fines for 3 Union Officers on Coast

HOLLYWOOD, May 2.—Jeff Kibre, minority leader in the fight between the I.A.T.S.E. and Technicians Local 37, was jailed today for failure to pay $50 fine for contempt, imposed by Superior Judge E. H. Allen. An hour later he was released on a writ returnable Friday.

Judge Wilson also fined $50 each J. W. Carpenter, Local 37 president, and Ed Heim, recording secretary, but suspended the fines. Contempt charges grew out of alleged violation of the restraining order obtained by John Gatelee, and Frank Stickling, International representatives, who took over the local March 12.

Judge Minor Moore has set for Friday trial of the counter suits by the local's deposed officers. Counsel has obtained a temporary injunction preventing International officials from concealing or changing records of the local, revoking the local's charter and otherwise injuring the local.

Kibre was given the heavier penalty because he issued a series of cartoons ridiculing Gatelee, Stickling and other international officers. He refused to pay the fine and was jailed.

# *War Crisis Slashes Film Grosses 20% in Europe*

Europe's political and economic chaos is reflected in the film business, and with crisis following crisis, theatres on the Continent have suffered declines in grosses of 20 to 25 per cent, Phil Reisman, RKO foreign chief, reported yesterday. He returned Monday from an extended stay abroad.

There are some bright spots, however, particularly the Scandinavian countries, and Reisman is not entirely pessimistic. The armaments race, he said, has created economic stringency all along the line, and he indicated that American companies will have to tighten their belts unless the clouds lift.

Reisman said the companies look forward to increased business in Spain, and that Reginald Armour, RKO's general European manager, will survey the situation in that country with respect to currency restrictions and future possibilities. RKO still is operating in the former Czechoslovakian territory and maintains an office in Prague.

Taking all foreign markets into consideration, RKO showed a substantial increase in overseas business in the 12 months ended April 1, Reisman said. South American business is good, and the company has been consolidating its position there for the last two years. RKO has two films for release in Latin America.

Reisman feels it is impractical to attempt to seek a return to Italy under present European conditions.

Despite the war, RKO's business in China has improved, and Reisman attributed this to the large concentration of troops who demand entertainment.

# ◂ Purely Personal ▸

EDDIE GOLDEN, Lou Pollock, Hank Linet, Buddy Morris, Colvin Brown, Martin Quigley, Ed Fay, I. E. Lopert, Jean Lenauer, Max Gordon, Harry Gold, J. J. Unger, Charles Stern, Joe Burstyn, William Goldberg and Sam Spring lunched at Bob Goldstein's Tavern yesterday.

●

Count Henri d'Ornano, director of the French Government tourist bureau, gave a tea yesterday for Ray Bell, Ted Kirkmeyer and other M-G-M "Marie Antoinette" contest winners who sailed last night for France.

●

Mr. and Mrs. Frederic Tims of London are visiting the New York World's Fair. He is managing director of J. Frank Brockliss, Ltd., distributors of theatre equipment in Europe. They are stopping at the Warwick.

●

Cecil B. DeMille arrived here yesterday and will remain over for a number of days. He will attend the running of the Kentucky Derby next Saturday and thence on to Hollywood.

●

Geraldine Fitzgerald, Warner player, en route to her native Ireland for a vacation, is expected in New York this morning from the coast.

●

Claude Lee, new public relations representative for Paramount, visited the home office yesterday. He left for Washington last night.

●

Vera Bergman, Viennese film player, sails today on the *Manhattan* with her husband, Werner Korpff. They have been in Hollywood.

●

Paul Benjamin, production manager of National Screen Service, has entered the East Orange General Hospital for sciatica treatment.

●

Tom Walker, Hal Roach eastern representative, leaves for Hollywood today to attend the United Artists convention next week.

●

Ed Schnitzer, eastern district manager for Warners, returns today after a brief visit to the Buffalo and Boston branches.

●

Constance Bennett arrived yesterday on the American Airlines *Mercury*. Jay Paley also was on board.

●

Ed Kuykendall, M. P. T. O. A. president, will go to Chicago from Columbus, Miss., tomorrow.

●

Sidney Skolsky of the Paramount writing staff, leaves for the coast today.

## *Joseph Schenck Here*

Joseph M. Schenck, chairman of the board of 20th Century-Fox, arrived yesterday by American Airlines from the coast. He was due earlier but had postponed his trip because of the labor situation at the studios. He is here on company business and plans to stay about a week.

# *Insiders' Outlook*

By SAM SHAIN

MIDNIGHT, in the Radio City Music Hall: Gus Eyssell, in his office, turning the pages of *L'Illustration,* French magazine, with a story about the R. C. M. H. The magazine calls the theatre, "A Cathedral Playhouse in New York."

▼ ▼

One of the major companies recently received a letter from a lad in India who desired to enter the theatre business here. He was asked to state the reasons for his having left his former position. This is what he wrote:

"I relinquished my position as general manager owing to the fact that I was stabbed by an ex-employe."

▼ ▼

Forty-sixth Street and Park—the crosstown light turns red, and a white wing confides to one of the waiting pedestrians:

"A minute ago and you would have seen Crown Prince Olaf of Norway ride past here."

▼ ▼

According to Sammy Cohen, those were genuine sprigs of Yorkshire heather from the Yorkshire moors, which were presented to the ladies in the audience at the London premiere of "Wuthering Heights," last Tuesday at the Gaumont Theatre. The heather was symbolic of the story's locale.

▼ ▼

Fifth Avenue and 52nd Street—Arthur W. Kelly, chief of United Artists' foreign operations, walking briskly to work, stick in hand.

▼ ▼

That celebrated junket to Dodge City for the film of the same name which Warner Bros. and S. Charles Einfeld gave to screen, newspaper and governmental celebrities, has become contagious. The idea has spread, and Paramount had one to Omaha for "Union Pacific." Latest party is 20th Century-Fox for the premiere of "Young Mr. Lincoln" to Springfield, Ill.

Now—if Universal and Harry Edington can arrange to hold a party in mid-Atlantic for the premiere of "Atlantic Cable" and leave some of the celebrities there. . . .

▼ ▼

Crossing Madison Ave. at 50th St., taking a quizzical glance at a cash register window display—Jack Pegler, nattily dressed in brown and green—a passerby nudges and says:

"With business what it is, we hardly need cash registers."

▼ ▼

Down Fifth Avenue in a Terminal cab, the driver talks and talks and concludes:

"That Fair—we don't see nothin' boomin'. Sure, the hackies would know if there was a boom. The hackies know it foist—when the depression came, we knew it. After all, you know, cabs is a luxury business, and when the Fair is boomin' we'll know it. That'll probably be in June, maybe."

▼ ▼

At 56th Street and Eighth Avenue, Roger Ferri, the little giant of motion picture house organ editors, rushing to work, a big, black cigar between his lips. Ferri still smokes those big oblong cantablos.

▼ ▼

Universal will get $100,000 on "The Mikado" from Canada alone. The biggest "U" take from the Dominion, in the past, was $85,000. In Hartford and in Pinehurst, the film has broken previous Universal company records. The picture opens at the Rivoli, on Broadway, late this month.

▼ ▼

Chicago reports Moe Annenberg ready to offer $10,000,000 for Hearst's newspaper properties in that city.

▼ ▼

In the company's dining room at Warners' home office—Sid Rechetnik praises "Sons of Liberty," one of the new patriotic shorts made by that company. It is the story of Haym Salomon. Claude Rains has the leading role.

"Showmen, the country over," Rechetnik avers, "may well focus their attention on this short. It is probably the most representative of all the W. B. series and is a fine contribution to our national lore."

# *The Newsreel Parade*

*Opening of the New York World's Fair constitutes the major portion of the new issues.*

MOVIETONE NEWS, No. 67—Roosevelt speaks at Fair. Soviet fliers crash, New throne for Italian king. Freight wreck. Prince and Princess of Norway arrive in New York. Kennedy discusses world crisis. Horce racing. Penn relays. Drake relays. Lew Lehr.

NEWS OF THE DAY, No. 265—Fair opens. Fleet comes in. Kennedy speaks in Ireland. Russian fliers land. Penn relays. Wood Memorial.

PARAMOUNT NEWS, No. 78—Entire reel is comprised of the Fair opening and important events therein.

RKO PATHE NEWS, No. 82—World's Fair. Russian fliers crash, arrive in New York. Arrival of Norway's prince and princess. Albania's crown to Victor Emanuel. Penn relays.

UNIVERSAL NEWSREEL, No. 767—Fleet arrives. Roosevelt opens Fair. Fliers forced down. Norwegian royalty hailed. Mrs. Lindbergh returns. Wood Memorial.

# Silverstone Heads New York Force To UA Convention

Murray Silverstone, United Artists chief executive, heads the large group of home office executives who will attend the company's national sales convention at the Ambassador Hotel, L[illegible] Angeles, opening on Monday.

The session also will observe the 20th anniversary of the founding of the company.

In the home office delegation will be Harry D. Buckley, vice president; E. T. Carr, joint managing director for England; Edward C. Raftery, board member and attorney; Arthur Kelly, vice president and foreign head; Lynn Farnol, advertising and publicity director; Lowell Calvert, Selznick International distribution manager; Harry Gold, eastern general sales manager; Jack Schlaifer, western general sales manager; Paul Lazarus, general contract manager. Others will be Charles Schwartz, attorney and board member; Emanuel Silverstone, American representative for Alexander Korda; Tom Walker, eastern representative for Hal Roach; Morris Helprin, American advertising and publicity representative for Korda; Monroe Greenthal, exploitation director; Albert Margolies, publicity manager, and Sam Cohen, foreign publicity manager.

Representatives of the company's 32 exchanges in this country and Canada, including district and branch managers and salesmen, also will attend.

Eastern and southern sales delegations start westward today on a special convention train which will be augmented en route by delegations from other sections of the country.

Silverstone, Buckley and Carr, accompanied by their wives, left New York by train yesterday. Other members of the home office delegation go by plane and train during the next few days to bring them to Los Angeles by Sunday.

Departing from usual procedure, the company will make its first day's convention session next Monday an open one, and trade press representatives will be on hand when the new season's policies and the contributions of its 11 affiliated producers are announced.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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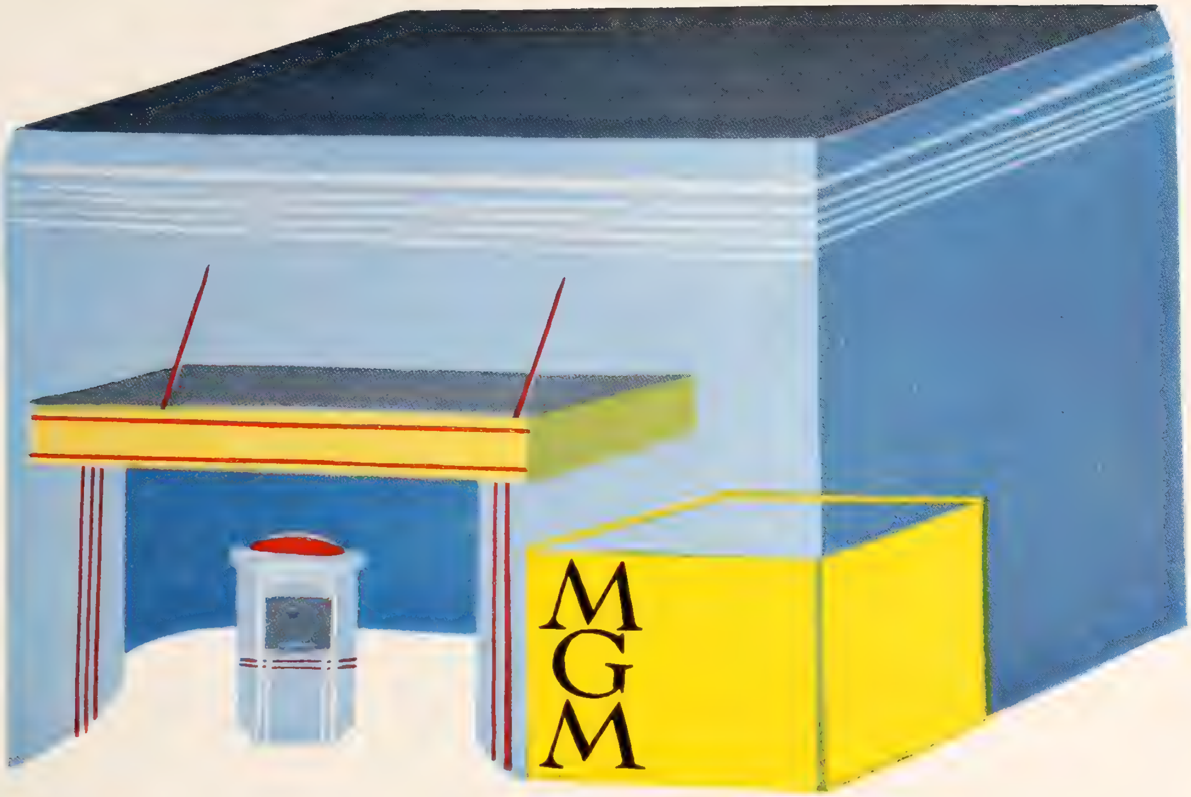
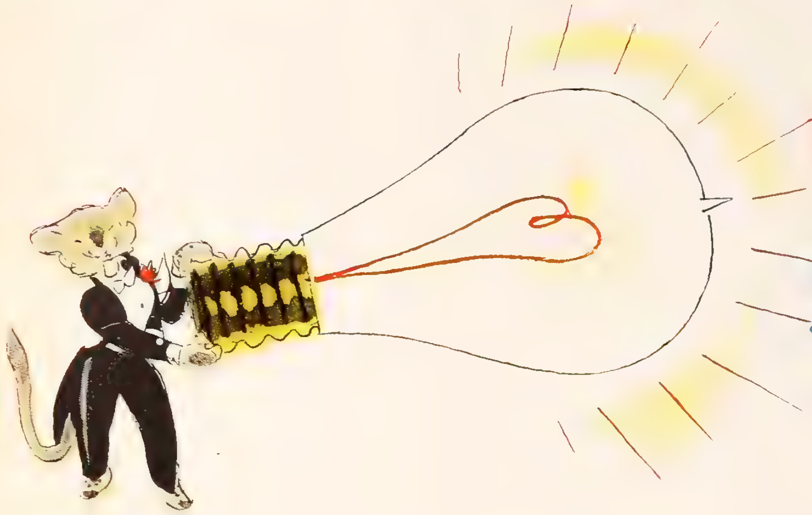


# THE CORNERSTONE OF 11,000 THEATRES!

*Strength! Security!*

(over)

# FOR 15 YEARS!



Exhibitors named M-G-M the star company and it's truer than ever today!

## First in STARS!

YEAR BOOK 1939
1938-39
INTERNATIONAL MOTION PICTURE ALMANAC

At every year's end M-G-M leads all companies. That's a matter of record!

## First in HITS!

"A square shake!" The Friendly Company, *practises* what it preaches!

## First in the hearts of its CUSTOMERS!

**FIRST IN BOX-OFFICE POLLS!** In the past year again M-G-M led all these Box-Office surveys: *Film Daily's* Nation-wide Ten Best Pictures; *Quigley Publications* Box-Office Champions; *Box-Office Magazine* Blue Ribbons; *Variety's* Top Picture Grossers; *Showmen's Trade Review* Best Major Productions; *Parents' Magazine* Family Best; *Ladies Home Journal's* American Women's Favorites; *New York Critic Circle's* Best and many more including the just completed *National Box-Office Digest* Annual Poll for the past year covering thousands of theatres showing M-G-M is first again! Year after year it's the same: **ONLY ONE COMPANY CAN BE FIRST!**

$40,000
$25000

**ACTUAL PHOTOGRAPH!**

Platinum and Gold—clean-up from Strandberg Mines at Folger, Candlecreek and Goodnews Bay, Alaska.

# THIS IS THE McCOY! BEWARE OF THE FLASH IN THE PAN!

Let 15 years of experience be your guide. Net results at the end of each year are the only thing that count in this business. When 11,000 satisfied customers balance their books at the close of each season, they say: "I'm *playing safe with the leader. Let the other fellow gamble on a flash in the pan.*" They prefer Security to Insomnia! And here's a point that every far-seeing exhibitor must consider in the coming year.

(*next page*)

# YOU DON'T HAVE TO KEEP YOUR FINGERS CROSSED WITH M-G-M!

## *There's Safety in Numbers!*

There is only one company in this entire business that by virtue of its set-up can guarantee security —that's M-G-M!

*(read why above)*

*think this over!*

# M-G-M HAS 18 EXPERIENCED TOP-RANKING PRODUCERS! MANY MORE THAN ALL OTHER COMPANIES!

*That's how M-G-M removes risks*
*which you have to face elsewhere!*

The solid rock of security on which M-G-M bases its studio production is that, come what may, you are protected. WE WILL NOT ALLOW THE SAFETY OF YOUR THEATRE INVESTMENT TO REST ON THE GENIUS OF ONE OR TWO OR THREE! M-G-M's production ranks are rich with talented showman brains ready for any emergency. You do not have to keep your fingers crossed!

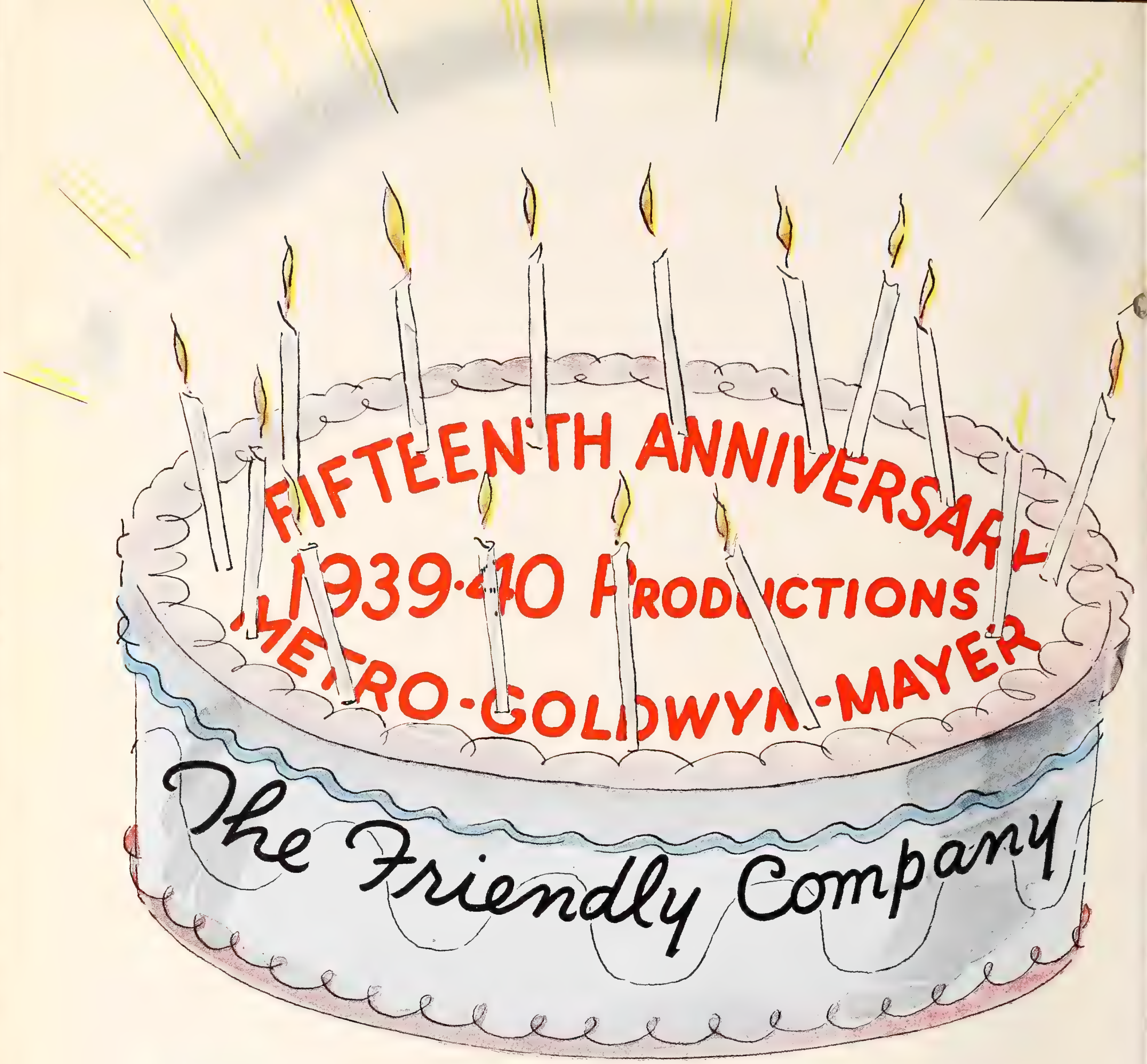
***Avoid this!***

***Do it the M-G-M way!***

**THAT GOES FOR STARS**
**THAT GOES FOR DIRECTORS**
**THAT GOES FOR WRITERS**
**THAT GOES FOR STORY PROPERTIES**
**THAT GOES FOR M-G-M in 1939-40**

## There's Safety in Numbers! Look!

*(next page)*


FIFTEENTH ANNIVERSARY
1939-40 PRODUCTIONS
METRO-GOLDWYN-MAYER
The Friendly Company

# ANGEL CAKE!

# YOUR BOX-OFFICE WILL REMEMBER M-G-M's

# A" 15th ANNIVERSARY

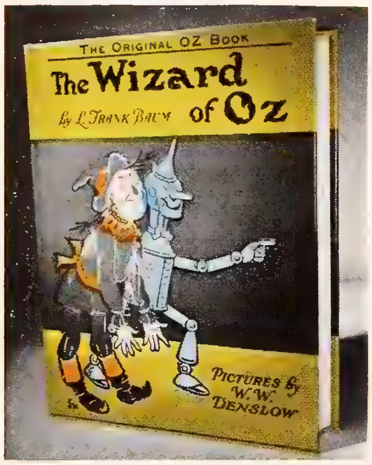
# 1939-1940

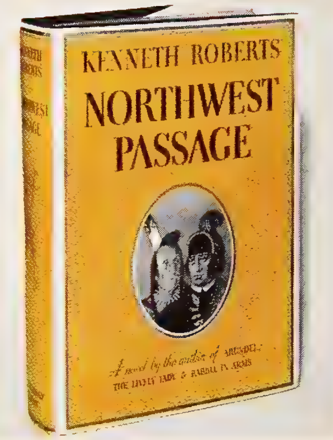
A milestone in the annals of show business! Unleashing the bank-roll for the greatest stage hits, most celebrated book successes! Reaching for the stars at unprecedented cost to add names and yet more names to the already fabulous aggregation of M-G-M personalities. A fortune for advertising! With our customers of Fifteen Friendly Years we set out to make 1939-1940 a box-office celebration to be remembered in the glowing pages of this industry's history!

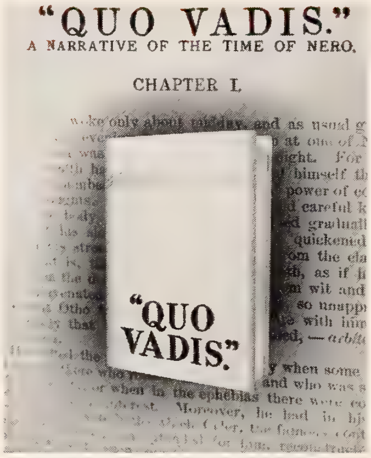
*(Turn the glowing pages now!)*

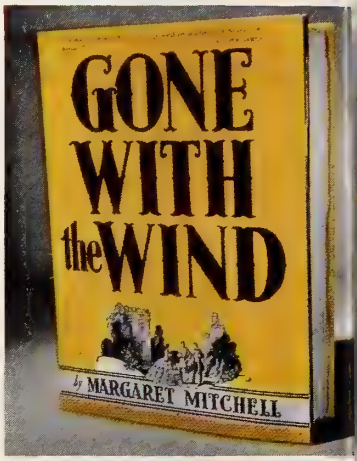
# ONLY ONE COMPANY CAN COMMAND SUCH MILLION DOLLAR PROPERTIES!

## *Brilliant with Multi-Star Casts!*


The Original Oz Book
The Wizard of Oz
by L. Frank Baum
Pictures by W. W. Denslow

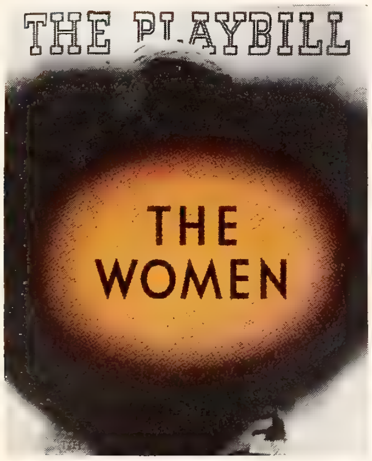

Kenneth Roberts
Northwest Passage
A novel by the author of Arundel, The Lively Lady & Rabble in Arms

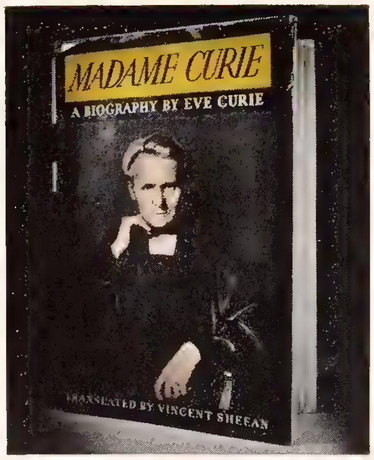

"QUO VADIS."
A NARRATIVE OF THE TIME OF NERO.
CHAPTER I.
"QUO VADIS."


GONE WITH the WIND
by MARGARET MITCHELL

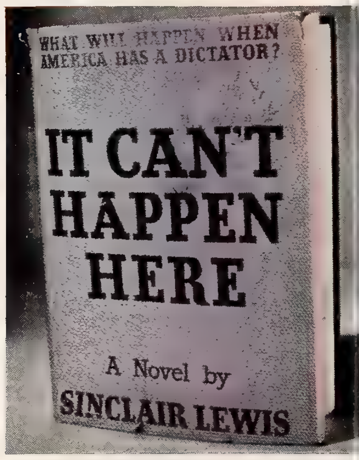
(A Selznick-International Picture. Produced by David O. Selznick)

## *Stage Hits! Best-Sellers!*

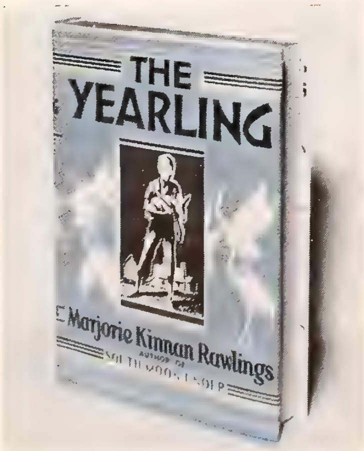

THE PLAYBILL
THE WOMEN

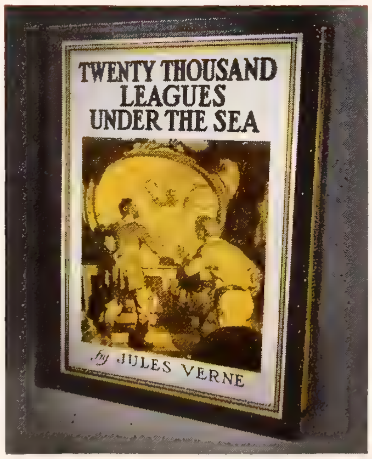

MADAME CURIE
A BIOGRAPHY BY EVE CURIE
TRANSLATED BY VINCENT SHEEAN

FANNIE HURST'S
Novel
"A MAGNIFICENT achievement. The book is essentially big; its bigness lying in one thing—the creation of a superb character—through whom the rest of the book becomes significant. Through the immortal eyes of an old woman, we watch what life does to her clan." —N. Y. Sun.
"A vital, generous novel of a New York matriarch. A book that sets itself a large scope." —N. Y. Herald Tribune.
GREAT LAUGHTER

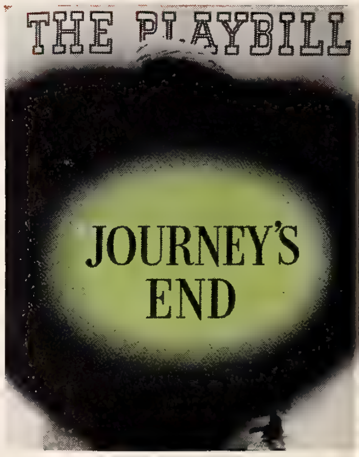

WHAT WILL HAPPEN WHEN AMERICA HAS A DICTATOR?
IT CAN'T HAPPEN HERE
A Novel by
SINCLAIR LEWIS

## *A treasure-house of famed titles!*


THE YEARLING
Marjorie Kinnan Rawlings
Author of South Moon Under


TWENTY THOUSAND LEAGUES UNDER THE SEA
by JULES VERNE

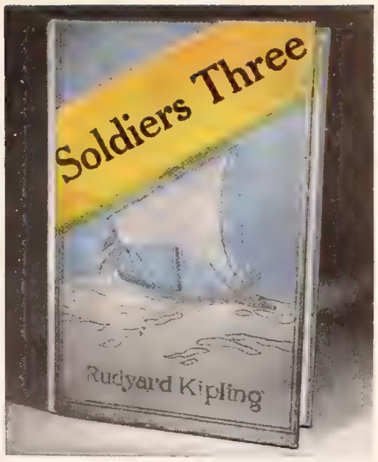
KIM
RUDYARD KIPLING


THE PLAYBILL
JOURNEY'S END

THE SATURDAY EVENING POST
THE SEA OF GRASS BY CONRAD RICHTER

MAY FLAVIN
A new novel by
MYRON BRINIG
author of
THE SISTERS

THE PLAYBILL
ON BORROWED TIME


Soldiers Three
Rudyard Kipling

## *A fortune in thrilling properties!*

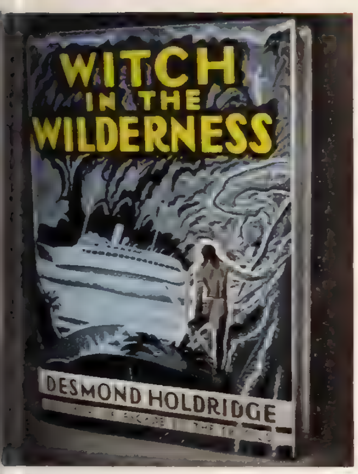
THE PLAYBILL
SUSAN AND GOD

Florian
The EMPEROR'S STALLION
by
FELIX SALTEN
Author of BAMBI

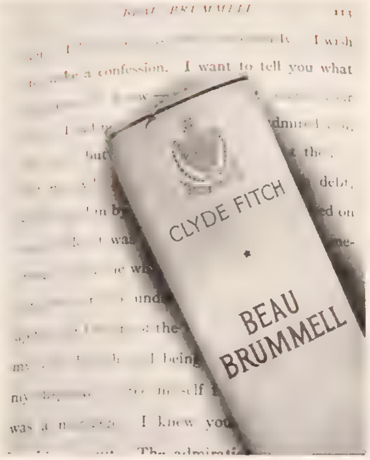
THE PLAYBILL
LOVER COME BACK TO ME

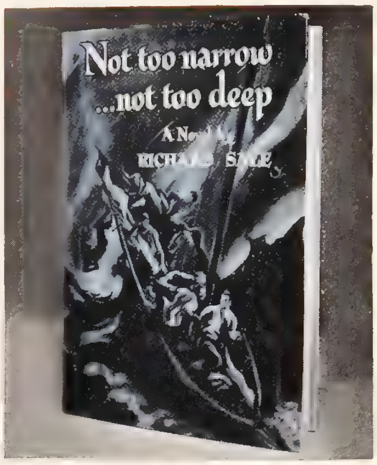
Hearst's International
Cosmopolitan
THESE GLAMOUR GIRLS
EASTWARD IN EDEN

## *Big Star Names for Big Hit Titles!*


WITCH IN THE WILDERNESS
DESMOND HOLDRIDGE

THE PLAYBILL
BABES IN ARMS


CLYDE FITCH
BEAU BRUMMELL


Not too narrow ...not too deep
A Novel by
RICHARD SALE

# SPACE IS LIMITED!

**Therefore we show only a few of the many Big Properties planned for 1939-40!**

In greater detail on following pages read about these and other famed vehicles from which Leo's 15th Anniversary line-up will be selected.

# OPEN DOOR POLICY!

## *A Preamble of Sincere Frankness!*

Take the keys and enter the treasure house of our production. We have no secrets from our customers. M-G-M would prefer to be able to say right now that each one of the pictures on the following pages will be delivered as described, and that the casts as contemplated now will remain intact months from now.

But our customers of Fifteen Friendly years know the sincerity of our methods which make understandable to them why we reserve the right to amend our plans to meet changing conditions, new trends during the course of a long year.

We report herewith the early status of what is destined to be the most ambitious and costly studio expenditure in the history of M-G-M. The ultimate perfection of each production is our sole concern and yours. Time and circumstance may necessitate changes but they will be changes designed for betterment only.

The 15th Anniversary line-up of M-G-M will be notable for multi-starring pictures, for the importance of the properties selected and for the scale on which they are made.

# A MINIMUM OF 40—A MAXIMUM OF 52

The following is a tentative prospectus. From these
and others, M-G-M's 1939-1940 releases will be drawn.

**NORTHWEST PASSAGE,** to resume production on location in May; based on Kenneth Roberts' famed best-seller; King Vidor director; Spencer Tracy, Robert Taylor.

**THE WOMEN,** sensational Claire Boothe stage hit of Park Avenue's wives and sweethearts, starring Norma Shearer, Joan Crawford, Rosalind Russell and an all-female cast of about 40 players; George Cukor, director.

**GONE WITH THE WIND,** Margaret Mitchell's most discussed book of our time; Clark Gable, Vivien Leigh, Leslie Howard, Olivia De Havilland, directed by Victor Fleming. In Technicolor.

*A Selznick-International Picture. Produced by David O. Selznick*

**IT CAN'T HAPPEN HERE,** based on Sinclair Lewis' famed novel of upheaval in America.

**ZIEGFELD FOLLIES.** Gigantic new type of musical entertainment, as pretentious as Ziegfeld would have made it if he had had M-G-M's resources; multi-starred.

**SILENT NIGHT,** an exciting and highly romantic co-starring vehicle for the screen's singing sweethearts, Jeanette MacDonald and Nelson Eddy.

**MADAME CURIE,** starring Greta Garbo; famed novel by Eve Curie depicting the thrills, hardships, struggles and final triumph of the discoverer of radium.

**NINOTSCHKA,** comedy by Melchior Lengyel; Parisian and Russian background,. starring Greta Garbo; Ernst Lubitsch director.

**THE WIZARD OF OZ.** In Technicolor. Awaited by entire show world as the most amazing screen magic ever unfolded. Based on celebrated L. Frank Baum's book of globe-circling fame. Cast includes Judy Garland, Frank Morgan, Ray Bolger, Bert Lahr, Jack Haley, Billie Burke and thousands of others. Directed by Victor Fleming.

**TONIGHT AT 8:30** is among the newly acquired important properties; Noel Coward's sensational international stage hit in which it is planned to star Norma Shearer.

**GUNS AND FIDDLES** (temporary title), spectacular drama with music; Robert Taylor, Hedy Lamarr, Miliza Korjus, Robert Young; by Walter Reisch and Samuel Hoffenstein.

**A DAY AT THE CIRCUS,** Marx Brothers; to start shortly.

**ON BORROWED TIME,** Lionel Barrymore, Sir Cedric Hardwicke and Bobs Watson, the child sensation of "Boys Town" and "Calling Dr. Kildare"; stage hit by Lawrence Edward Watkins; director, Harold Bucquet.

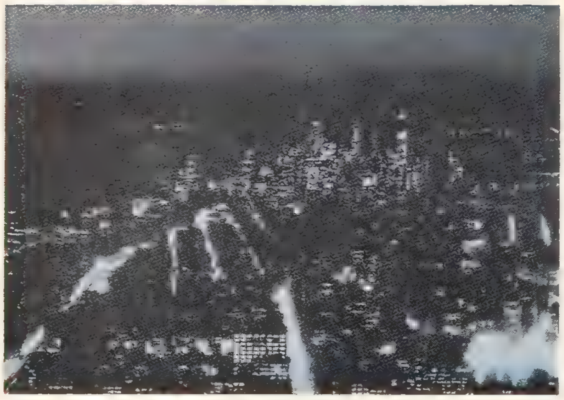
**RETURN OF THE THIN MAN,** by Dashiell Hammett; William Powell, Myrna Loy.

**BROADWAY MELODY OF 1940.** Fred Astaire, Eleanor Powell in the most sumptuous of this successful series; novel story treatment.

**BABES IN ARMS,** musical drama novelty, based on Rodgers and Hart stage success; large cast includes Mickey Rooney, Judy Garland, June Preisser, Betty Jaynes, Douglas McPhail; Busby Berkeley, director.

*(More great productions listed two pages beyond →)*

# NO MATTER



# IF YOU'RE BIG

# OR LITTLE!

# THESE STARS in M-G-M HITS will give you SECURITY!

CLARK GABLE

NORMA SHEARER

HEDY LAMARR

SPENCER TRACY

MICKEY ROONEY

WALLACE BEERY

FRED ASTAIRE

EDDIE CANTOR

It would take a complete issue of a magazine to fully illustrate the entire gallery o M-G-M personalities. In addition to the 24 stars above there are 53 other importan featured players, most of whom would be considered of STAR rating by any othe company. And all are under *exclusive* contract to M-G-M. In its extensive directorial and writing ranks M-G-M likewise pridefully includes the outstanding hit-creators o the industry. There's safety in numbers and M-G-M backs its assurance of a new year of big attractions with a large and expert personnel.

ROBERT TAYLOR

JOAN CRAWFORD

JEANETTE MacDONALD

NELSON EDDY

MYRNA LOY

GRETA GARBO

WILLIAM POWELL

MARGARET SULLAVAN

MARX BROTHERS

ROBERT DONAT

ROBERT MONTGOMERY

ELEANOR POWELL

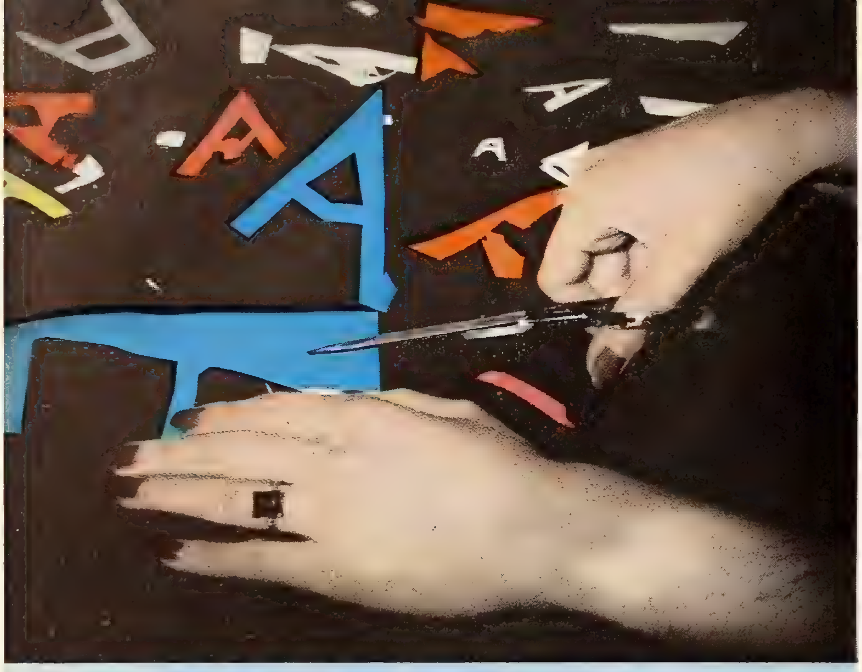
LIONEL BARRYMORE

ROSALIND RUSSELL

JAMES STEWART

JUDY GARLAND

**And Remember: M-G-M's Promotion Plans call for the expenditure of $2,500,000, the Greatest of all time!**



*(Continuing 1939-1940 Prospectus from preceding pages)*

**THE YEARLING,** Marjorie Kinnan Rawlings' successful novel; Victor Fleming, director.

**WINGS OVER THE DESERT,** Harold Buckley's melodrama of aviation over Sahara.

**SEA OF GRASS,** Conrad Richter's novel of embattled farmers and cattle men in New Mexico; awaiting availability of Spencer Tracy and Myrna Loy.

**KIM,** Kipling's famed novel, plans for which call for record studio budget.

**SOLDIERS THREE,** another Kipling thriller.

**QUO VADIS,** a multi-starred production by the creators of "Ben Hur."

**THE RUINED CITY,** starring Robert Donat; based on the celebrated novel "Kindling."

**THE GREAT CANADIAN,** Clark Gable and Myrna Loy; story of the American hockey circuit by Robert Hopkins and Vicki Baum.

**HOUSE OF GLASS,** melodrama by Max Marcin; Joan Crawford.

**A LADY COMES TO TOWN,** by Clements Ripley; being prepared for Joan Crawford.

**BEAU BRUMMEL,** by Clyde Fitch; planned to star Robert Donat.

**I HAD A COMRADE,** descriptive of present-day conditions in Germany; by a British nobleman, Viscount Castlerose.

**AMERICAN NEWLYWEDS.** Introducing a new family series, dealing with a typical young married American couple; now being developed by those who created the Hardy and Kildare series.

**MAY FLAVIN,** Myron Brinig's novel of an abandoned wife's life struggle.

**THUNDER AFLOAT,** Ralph Wheelwright and Commander Harvey Haislip's story of submarine chasers during last war; Wallace Beery.

**SMILIN' THROUGH,** starring Jeanette MacDonald; a triumphant musical version of the immortal heart-stabbing romance.

**I LOVE YOU AGAIN,** by Octavus Roy Cohen; awaiting availability of William Powell and Myrna Loy.

**HANDS ACROSS THE BORDER,** by Gene Towne and Graham Baker; friendly rivalry on the hockey field between Canadian and U. S. military academies; starring Robert Taylor.

**EARL OF CHICAGO,** starring Robert Montgomery; Brock William's engaging, fast-moving story.

**THESE GLAMOUR GIRLS,** Cosmopolitan Magazine story by Jane Hall and Marion Parsonnet; for selected young female players.

Further **HARDY FAMILY** and **DR. KILDARE** productions, continuing the high standard which have established these two great American themes among picture-goers.

**BALALAIKA,** adapted from the successful London musical by Eric Maschwitz; Nelson Eddy and Ilona Massey, the exotic new prima donna; big scale musical dramatic production.

**SUSAN AND GOD.** Rachel Crothers' play starring Greer Garson, distinguished for her performance in "Goodbye, Mr. Chips."

**THE ZIEGFELD GIRL,** all-star cast in story by William Anthony McGuire, author of "The Great Ziegfeld."

**WITCH IN THE WILDERNESS,** novel by Desmond Holdridge; starring Spencer Tracy; King Vidor, director.

**LOVER COME BACK TO ME,** based on Sigmund Romberg's "New Moon", starring Jeanette MacDonald, Nelson Eddy.

**GO WEST,** a comedy of Indians, rodeos and the wild and woolly; now being prepared for the Marx Brothers by Bert Kalmar and Harry Ruby.

**A YANK AT ETON,** by George Oppenheimer and Thomas Phipps; starring Mickey Rooney, to be produced by our successful unit which just completed "Goodbye,.Mr. Chips".

**WAR EAGLES,** a novelty thriller combining imagination and living actors in a story of patriotic appeal; general treatment like that of "The Lost World" and "King Kong"; unprecedented production cost to bring you a sensational attraction.

**BUSMAN'S HOLIDAY,** the baffling and delightfully absorbing London murder mystery by Dorothy Sayers; starring Robert Montgomery.

**THE LIFE STORY OF THOMAS EDISON** Spencer Tracy and Mickey Rooney respectively present Edison as boy and man.

**PARK AVENUE MODEL,** starring Joan Crawford; vivid, exciting and de luxe drama of a modern maiden in our streamlined generation.

**20,000 LEAGUES UNDER THE SEA,** Jules Verne's world renowned story in Technicolor.

**BANJO EYES,** comedy-drama with music for Eddie Cantor.

**WINGS ON HIS BACK** (title tentative), Myles Connelly's breezy, clever comedy story of an aviatrix and aviator; James Stewart.

**NICKEL SHOW,** "cavalcade of the motion picture business," with a central showman character; a strongly romantic story.

**JOURNEY'S END,** based on Robert C. Sherriff's famous play; starring Robert Donat.

**THE ROSARY,** Edward E. Rose's famed stage success.

**GREAT LAUGHTER,** Fannie Hurst's celebrated novel.

**SHOP AROUND THE CORNER,** starring Margaret Sullavan, James Stewart, Frank Morgan; directed by Ernst Lubitsch.

*(next page says a mouthful!)*

# SHELL-GAME OR SECURITY!

You can remember the past
You can profit in the present
You can plan on the future
With one company only!

**METRO-GOLDWYN-MAYER**

**THE FRIENDLY COMPANY**

"Cornerstone of
11,000 Theatres"

PRINTED IN U.S.A.

## SWG's Directors Reject Producers' Compromise Plan

HOLLYWOOD, May 2.—Negotiations between Screen Writers' Guild and producers broke down early today when the S.W.G. board of directors completely rejected the producers' proposal for compromise on three major points. Guild directors instructed their attorney, Leonard S. Janofsky, to move for reopening the N.L.R.B. hearings.

Proposals made by producers Friday night were a contract term of seven years, Guild shop percentages to rise from 70 to 80 per cent during the life of the pact, and refusal of permission to writers to write and own material during layoff periods. The Guild is insisting on 80 per cent Guild shop at the outset, contract term to be no longer than three and a half years, and right of authors to own material produced during layoffs.

Special Trial Examiner James C. Batten, when he ordered day-to-day adjournment of N.L.R.B. hearings, declared he was prepared to resume hearings within 24 hours if an impasse was reached.

## Film Business Off; Blame Put on Fair

*(Continued from page 1)*

Fair visitors and bar automobiles from the area. The League claims this would be an unwarranted interference with playgoers.

Among the attractions scheduled for Broadway, "Goodbye, Mr. Chips," M-G-M British film, will go into the Astor May 16 on the same continuous run and price policy as in effect for "Pygmalion." "Union Pacific" opens at the Paramount May 10, and "Rose of Washington Square" at the Roxy on Friday. On Saturday the Globe will get "King of the Turf," and "Boys' Reformatory" will start at the Central. "Juarez" at the Hollywood and "Confessions of a Nazi Spy" at the Strand are going well. "The Lady's from Kentucky" at the Paramount was off in its first week. "Prison Without Bars" at the Globe was fair in its third week.

## *Kentucky Colonels Will Honor Jolson*

LOUISVILLE, May 2.—Al Jolson will be guest of honor at the annual dinner of the Kentucky Colonels here Friday night on the eve of the running of the Derby. He will come here in connection with the sponsorship of the Derby broadcast by 20th Century-Fox over CBS on behalf of "Rose of Washington Square." Jolson is featured in the film. He is scheduled to speak during the broadcast. Bryan Field, Ted Husing and Mel Allen will handle the air program.

### McCarthy Leaves Today

Charles E. McCarthy, 20th Century-Fox advertising and publicity director, and Rodney Bush, exploitation manager, leave for Louisville today to arrange for Saturday's broadcast. Four "plugs" for "Rose of Washington Square" are written into the script and there will be others.

## *Lawyers Completing Trade Pact Revision*

**Distributors are awaiting completion by the lawyers' drafting committee of revisions in the trade practice code. Upon submission of the proposed changes, a meeting of the distributors' trade practice committee will be called. The revisions pertain to arbitration procedure and other matters as suggested by exhibitor organizations following their study of the submitted code.**

## British Film Tax Is Called Certain

*(Continued from page 1)*

000,000 and $250,000,000 a year, and he did not think that $3,000,000 produced by the excise duty would produce a "revolution." He agreed that some modification in the customs duty is possibly needed, probably referring to foreign films for specialized showings.

Debate on the question was opened by Tom Williams who proposed an amendment in excise duty from four and one-half pence per square foot to one penny per foot. Williams pleaded the case of the documentaries and protested that features are fighting hard for existence at present. He suggested that the newsreel might be compelled to quit. Williams' contentions were supported by others.

Regarding newsreels, the Chancellor was willing to consider possible modifications in detail, saying that with general trade cooperation it may be possible to work out a good plan. The amendment eventually was withdrawn.

## Hinge Aids Battle On Film Tax Boost

LONDON, May 2.—Cinematograph Exhibitors' Association met today and confirmed the naming of E. J. Hinge, vice-president, as associate of D. E. Griffiths, president of the Kinematograph Renters' Society (distributors), heading the proposed deputation seeking to obtain concessions in the proposed film tax increases from Sir John Simon, Chancellor of the Exchequer.

Local exhibitor reaction is to the effect that they fear the tax increase will be passed on by the distributors in the form of increases in rentals. Some C.E.A. branches advocate anti-Government propaganda on the screen.

## *Insurance Firms Assail Bank Laxity*

LONDON, May 2.—In the second day of the trial of the action of the Westminster Bank against 15 insurance companies in connection with film financing, the defense contended the bank owed as a duty to the insurance companies supervision of film company accounts, and should have known of alleged irregularities and warned underwriters. Counter claims against the bank total $1,940,000.

## *Circuit Continuing Under Cocalis Will*

Will of Soteros D. Cocalis, metropolitan circuit head who died April 22, was offered for probate in Elizabeth, N. J., yesterday by Monroe Stein, attorney for the estate. Named as executors were E. T. Hardaloupas, president of Hellenic Trust Co.; William A. Scully, Universal general sales manager, and James J. Thompson, of the Cocalis office.

The will directs that the circuit be continued and sets up a trust for 20 years with the executors named as trustees. Three sons, James, George and Alexander, will receive the principal of the trust after its expiration. The will also makes provision for the widow and four daughters, as well as several charitable bequests. Executors are given broad powers to manage the business, with the right to add to the properties as well as dispose of any in their discretion.

## *Heavy RKO Stock Exchanging Seen*

A total of approximately $300,000 of RKO's 10-year 6 per cent gold debentures, out of about $3,000,000 outstanding, have elected to receive the new preferred stock in exchange, it was revealed yesterday by an application of Irving Trust Co., RKO trustee, for authority to call in the elected debentures for stamping and listing with the N. Y. Stock Exchange.

Under the reorganization plan, debenture holders were entitled to exchange their holdings at a rate of 1.43 shares of new preferred for each $100 of debentures during a period ended May 1, and thereafter would receive one share of preferred and five shares of common for each $100 principal amount of debentures.

Irving Trust also is expected to apply in the near future for an extension of the maturity date from June 1 next on the final $50,000 of RKO secured gold notes, retirement of which might complicate RKO reorganization if effected before the plan is consummated. Little possibility of consummation of the plan before next September or October is seen in informed quarters.

## *Vocafilm Is Ordered To Give Suit Details*

Federal Judge John C. Knox yesterday ordered Vocafilm Corp. of America to file a bill of particulars setting forth details of its $65,953,125 suit against American Telephone & Telegraph Co., Western Electric Co. and Erip. The bill must be filed within 40 days.

The plaintiff, which was in the business of manufacturing and selling sound equipment to motion picture theatres, claimed to have had $4,200,000 in contracts and an estimated gross yearly business of $4,357,000 when it was forced out of business. Defendants are charged with violation of the Sherman Anti-trust Act in allegedly coercing exhibitors and producers to use only their equipment.

## *Dittman Buried*

FREEPORT, Ill., May 2.—John F. Dittman, veteran local exhibitor, who died Friday, was buried here yesterday. Dittman operated the Strand here.

## Goldwyn Revises Complaint on UA

Samuel Goldwyn yesterday filed a new complaint, third in the series to date, in Federal court at Wilmington, Del., in his action to establish whether his contract with United Artists has been breached.

The newest complaint supersedes the earlier ones and asks for absolute cancellation of his contract with United Artists.

The action was begun originally by Goldwyn in N. Y. Supreme Court and transferred at the request of United Artists to the Federal court here. Goldwyn then moved for dismissal of the action and filed a new complaint in the Federal court at Wilmington.

Last Friday United Artists filed a motion to dismiss the action on the grounds that it did not set forth a valid grievance and did not ask for any relief which it was proper for a court to grant. Earlier Goldwyn actions asked the court merely to give an opinion as to whether or not his contract had been broken by the company.

This point, apparently, is remedied in the new complaint. Goldwyn asserts that he asked the company to cancel his contract and that this was refused. He asks the court to declare the contract breached and to terminate it.

United Artists has 20 days in which to answer the new Goldwyn complaint.

## *Bernard Freeman Is Loew's Lunch Guest*

Loew executives attended a surprise luncheon at the Astor yesterday given for N. Bernard Freeman, managing director for Australasia. Freeman sailed last night on the *Normandie* on the first leg of his return trip to Sydney. He was here several weeks.

Arthur Loew, vice-president of Loew's, who was host of the luncheon, was unable to be present due to a sprained tendon.

Twenty attended, including David Bernstein, J. Robert Rubin, William F. Rodgers, Marvin Schenck, Howard Dietz, Oscar Doob, Judge I. Frey, Ed Saunders, Tom Connors, Gene Picker, Dave Blum, Si Seadler, Mort Spring, Harry Bernstein, H. J. Cleary, Charles Goldsmith, Harry Kleindienst, Henry Krecke and Joseph Rosthal.

## *Tax Worry Brings Fairbanks to City*

Tax problems involving Swiss investments in the new Fairbanks producing company brought Douglas Fairbanks, Sr., here from the coast yesterday. Swiss interests are among chief backers of the company.

Montague Marks, associate of Fairbanks who obtained the Swiss participation, is due from England shortly to confer with Fairbanks, who may leave for England in a couple of weeks.

## *Set Actor Refugee Unit*

Actors' Equity yesterday granted permission for the formation of Refugee Artists' Group in response to a request signed by Sam H. Harris, George S. Kaufman and Moss Hart. The group will function as a cooperative unit under the direction of Beatrice Kaufman, the playwright's wife.

# 'Hardys' Hits Neat $16,000, Philadelphia

PHILADELPHIA, May 2.—"Wuthering Heights" chalked up $12,000 in its second week at the Aldine. The Fox took $17,000 with Ben Blue and Virginia Verrill on the stage and "Lady's From Kentucky" as the film.

"Hardys Ride High" did $16,000 at the Boyd. "The Story of Vernon and Irene Castle" took $15,000 at the Stanley.

Estimated takings for the week ending April 27:

**"Wuthering Heights" (U. A.)**
ALDINE—(1,300) (32c-42c-57c) 7 days, 2nd week. Gross: $12,000. (Average, $8,160)
**"Peg of Old Drury" (Tri-Nat.)**
ARCADIA—(600) (25c-42c-57c) 9 days. Gross: $3,100. (Average, 7 days, $2,800)
**"Hardys Ride High" (M-G-M)**
BOYD—(2,400) (32c-42c-57c) 8 days. Gross: $16,000. (Average, 7 days, $14,000)
**"Love Affair" (RKO)**
EARLE—(2,000) (26c-32c-42c) 7 days, 3rd run. Gross: $7,000. (Average, $8,000)
**"Lady's From Kentucky" (Para.)**
FOX—(3,000) (32c-37c-42c-68c) 7 days (6 days stage show). Stage: Ben Blue, Virginia Verrill. Gross: $17,000. (Average, $16,000)
**"Midnight" (Para.)**
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run, 2nd week. Gross: $3,000. (Average, $4,000)
**"East Side of Heaven" (Univ.)**
KEITH'S—(2,000) (32c-42c-57c) 7 days, 2nd run. Gross: $3,100. (Average, $4,000)
**"Can't Get Away With Murder" (W. B.)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $4,000. (Average, $4,500)
**"Castles in the Air" (RKO)**
STANLEY—(3,700) (32c-42c-57c) 7 days. Gross: $15,000. (Average, $14,000)
**"Dodge City" (W. B.)**
STANTON—(1,700) (26c-32c-42c) 7 days, 2nd run. Gross: $6,000. (Average, $7,000)

# 'Kentucky' $8,700 Indianapolis Best

INDIANAPOLIS, May 2.—"The Lady's from Kentucky" and Al Donahue's band took a fine $8,700 at the Circle for the best in town in a fair week. "On Trial," plus Abe Lyman's band, did $8,600 at the Lyric. "East Side of Heaven," on a dual with "Mystery of the White Room," turned in $5,400 for the Indiana.

Estimated takings for the week ending April 28:

**"The Story of Vernon and Irene Castle" (RKO)**
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $1,500. (Average, $2,500)
**"The Lady's from Kentucky" (Para.)**
CIRCLE—(2,800) (25c-40c) 7 days. Stage: Al Donahue and Rainbow Room Orchestra, with Judy Canova, Annie & Zeke; Duke McHale, Paula Kelly, Charlie Carroll. Gross: $8,700. (Average, $5,500)
**"East Side of Heaven" (Univ.)**
**"Mystery of the White Room" (Univ.)**
INDIANA—(3,200) (25c-40c) 7 days. Gross: $5,400. (Average, $5,000)
**"Ice Follies of 1939" (M-G-M)**
**"Prison Without Bars" (U. A.)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $5,500. (Average, $7,000)
**"On Trial" (W. B.)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Abe Lyman Orchestra and his California Revue. Gross: $8,600. (Average, $8,000)

## *Wins Bank Night Suit*

ATLANTIC, Ia., May 2.—Iowa Theatre won the Bank Night case in District Court here when the judge ruled that Mrs. Earl Smith of Wiota had no case against the theatre when her name was called for a $450 Bank Night prize and she did not appear to claim it.

# *New York Previews*

## *"It's a Wonderful World"*

*(M-G-M)*

Ben Hecht and Herman Mankiewicz have fashioned an altogether delightful comedy-mystery vehicle for Claudette Colbert and James Stewart in "It's a Wonderful World," a picture that is bound to please all film patrons. In addition to intelligent comedy and mystery, the authors have provided the proper amount of romance, which, however—and this is as it should be in this particular film—is entirely incidental to the story.

Unlike a number of recent pictures which have been indoctrinated with political missions, "It's a Wonderful World" holds itself solely to affording light entertainment and scores a bulls-eye. Miss Colbert and the dry Stewart have tailor-made roles here, and they are performers enough to take complete advantage of every turn of the script. The supporting players are no less excellent.

As a private investigator whose success is based on the premise that all men are smart and all women dumb, Stewart gets along moderately well until his path crosses Miss Colbert's, whereupon there is the devil to pay. The revision in Stewart's ill-taken philosophy comes at the close of the film, and is given with heart-felt conviction.

Stewart's job is that of nurse to a tipsy marrying millionaire, played hilariously by Ernest Truex. Following a fourth marriage immediately after a divorce, Truex's former wife is murdered. Stewart hides Truex, whom the police accuse, and sets out to find the real murderer for the $100,000 fee that Truex promises. The police, however, take in both Truex and his detective. On Stewart's escape en route to Sing Sing, he meets with Miss Colbert, a poet, whose attachment to Stewart is unwelcome. His efforts to get rid of her and the subsequent tracking down of the real murderers, makes for high-spot entertainment. In addition to Guy Kibbee, Nat Pendleton and Edgar Kennedy, as a pair of dumb detectives, give notable support. W. S. Van Dyke directed.

Running time, 85 minutes. "G."* JACK BANNER

## *"Blue Montana Skies"*

*(Republic)*

"Blue Montana Skies" is a tale of fur thieves who smuggle their booty across the Canadian border into the States. Enlivened by six western songs, this film should prove popular with Gene Autry fans. Although the action is slowed somewhat by the interpolation of the songs, there is plenty of comedy and suspense to carry the plot along.

Autry, accompanied by Smiley Burnette and Tully Marshal, is driving some cattle to Canada and runs across the hijackers. Marshall is killed, but before he dies he carves the letters "H-H" into a rock. Autry and Burnette discover that the "H-H" ranch is a dude outfit run by June Storey and her crooked partner, Harry Woods.

Stampeding his cattle into the "H-H" herd, Autry succeeds in obtaining an invitation to remain at the ranch until the brands can be separated. After that, he discovers the operations of the gang and, with the assistance of the Northwest Mounties, effects a capture.

Miss Storey makes her second appearance in an Autry film and is likely to prove a major attraction to box-office patrons who like the Autry-Burnette combination.

The screenplay was written by Gerald Geraghty from an original by Norman S. Hall and Paul Franklin. B. Reeves Eason directed and Harry Grey was associate producer.

Running time, 56 minutes. "G."* ED GREIF.

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*"G" denotes general classification.

## *20th-Fox Club Elects*

CHICAGO, May 2.—Chicago Employes' Club of 20th Century-Fox has elected the following officers: president, Howard De Tamble; vice-president, Mabel Carpenter; secretary, Anne Jacobson; treasurer, Esther Baillie; social secretary, Leo Schauer.

## *Form Commercial Group*

LONDON, May 2. — Commercial shorts producers in Great Britain have organized the British Short Film Makers Society, Ltd. Objects of the company are to promote and protect the interests of the members.

## *Fox to Honor Eckhardt*

CHICAGO, May 2.—Local Fox exchange has named July as Clyde Eckhardt silver jubilee month to celebrate Eckhardt's twenty-fifth anniversary in the film business. Eckhardt will open the new Fox exchange building on July first as part of the celebration.

## *Extend Taylor Pact*

HOLLYWOOD, May 2.—M-G-M has extended the contract of Robert Taylor, currently being co-starred with Hedy Lamarr in "Lady of the Tropics."

# 'Crowded' and Herbert Loop Hit, $15,200

CHICAGO, May 2.—Hugh Herbert, in person, at the Oriental gave "12 Crowded Hours" a boost and the gro[illegible] was $15,200. No sensational business was reported, but the general tone was good. "Hound of the Baskervilles" at the Apollo did $7,300 and "Dodge City" in a third Loop week at the Roosevelt, took $12,700.

Estimated takings for the week ending April 26-29:

**"Hound of the Baskervilles" (20th-Fox)**
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $7,300. (Average, $6,500)
**"Alexander Graham Bell" (20th-Fox)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Arthur Treacher & Revue. Gross: $28,200. (Average, $32,000)
**"Love Affair" (RKO)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,700. (Average, $6,500)
**"12 Crowded Hours" (Col.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Hugh Herbert and Revue. Gross: $15,200. (Average, $13,000)
**"The Story of Vernon and Irene Castle" (RKO)**
PALACE—(2,500) (35c-55c-75c) 7 days, 3rd week. Stage: Vaudeville Revue. Gross: $14,000. (Average, $19,000)
**"Dodge City" (W. B.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $12,700. (Average, $11,000)
**"Three Musketeers" (20th-Fox)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross, $14,200. (Average, $12,000)
**"Wuthering Heights" (U. A.)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $12,000. (Average, $15,000)

# '3 Smart Girls' Collects $8,000 Milwaukee Gross

MILWAUKEE, May 2. — "Three Smart Girls Grow Up" and "Women in the Wind" collected $8,000 at the Warner for the week's high. Second money went to "The Hardys Ride High" and "Society Lawyer" at Fox's Wisconsin, with $7,800.

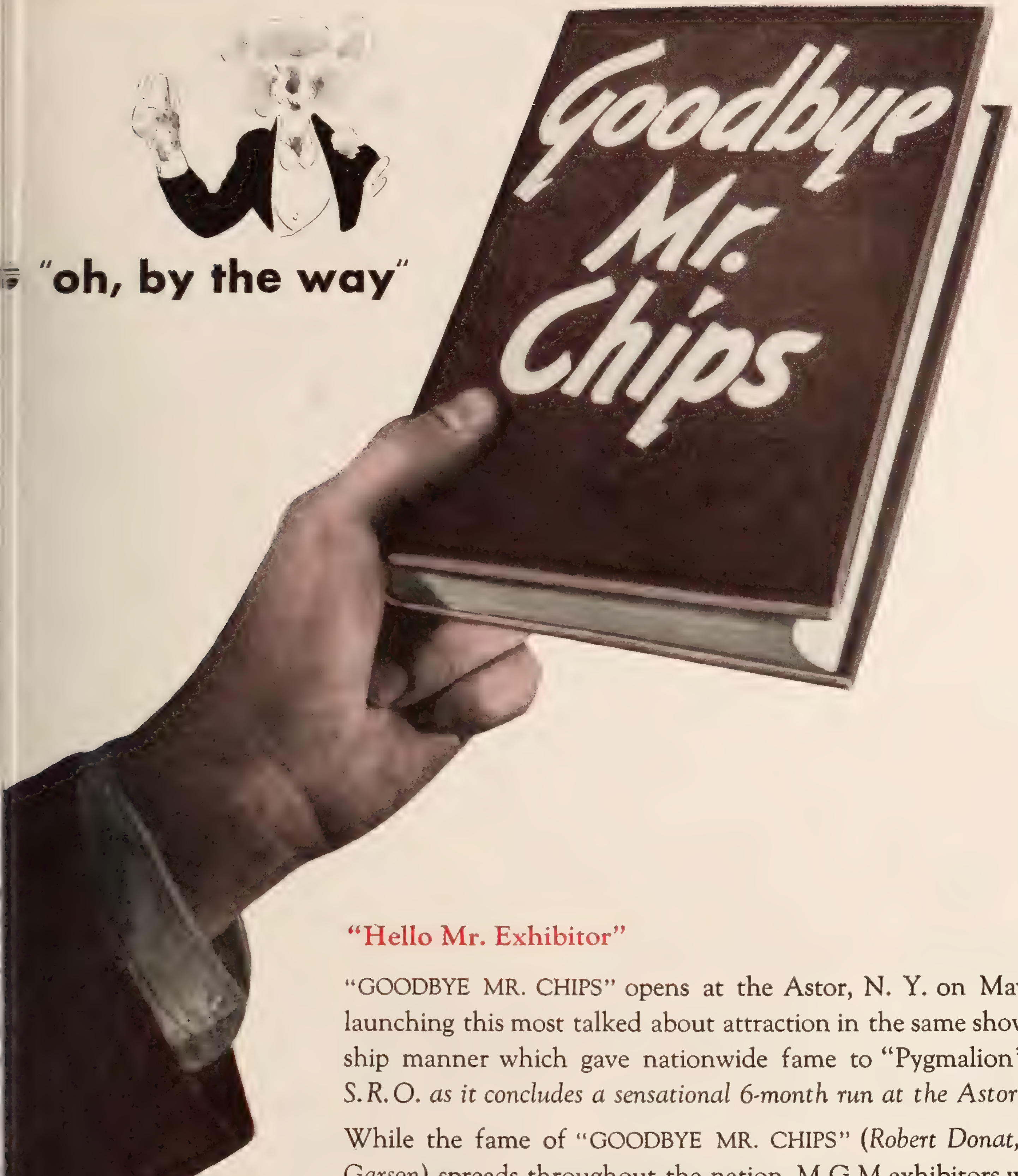
Season's first mild weather hit the takes at the other houses.

Estimated takings for the week ending April 26-27:

**"Three Smart Girls Grow Up" (Univ.)**
**"Women in the Wind" (W. B.)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $8,000. (Average, $4,500)
**"Sergeant Madden" (M-G-M)**
**"Winner Take All" (20th-Fox)**
PALACE—(2,400) (35c-50c) 7 days. Gross: $4,000. (Average, $4,000)
**"My Wife's Relatives" (Rep.)**
RIVERSIDE—(2,300) (25c-30c) 7 days. Stage: Vaudeville. Gross: $5,000. (Average, $5,000)
**"Midnight" (Para.)**
**"I'm From Missouri" (Para.)**
**"Dodge City" (W. B.)**
**"Adventures of Jane Arden" (W. B.)**
STRAND—(1,400) (35c-50c) 5-2 days, respectively. Gross: $1,800. (Average, $2,000)
**"The Hardys Ride High" (M-G-M)**
**"Society Lawyer" (M-G-M)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $7,800. (Average, $5,500)

## *'Lincoln' Dated at Roxy*

"Young Mr. Lincoln," second Cosmopolitan production for 20th Century-Fox, is scheduled to open at the Roxy May 31. The company's sales department is lining up key city date-and-date runs to start between June 1 and 3. The premiere will be at Springfield, Ill., May 30.



"Hello Mr. Exhibitor"

"GOODBYE MR. CHIPS" opens at the Astor, N. Y. on May 16th launching this most talked about attraction in the same showmanship manner which gave nationwide fame to "Pygmalion" (*still S.R.O. as it concludes a sensational 6-month run at the Astor.*)

While the fame of "GOODBYE MR. CHIPS" (*Robert Donat, Greer Garson*) spreads throughout the nation, M-G-M exhibitors will say hello to hit after hit. For instance:

Hold-overs are mounting as the "HARDYS RIDE HIGH"! "LUCKY NIGHT" (*Myrna Loy, Robert Taylor*) starts off with happy-go-lucky crowds everywhere. "IT'S A WONDERFUL WORLD" (*Claudette Colbert, James Stewart*) rolled preview audience in the aisles. It's socko at the b. o. "CALLING DR. KILDARE" (*Lew Ayres, Lionel Barrymore*) thrills opening engagements and establishes Dr. Kildare as another Hardy series. And that's just a few in coming weeks!

**Goodbye Mr. Exhibitor, you're in the chips as usual with Mr. Leo.**

## Siegel Condemns FCC, Major Nets

Federal Communications Commission was charged with "doodling" while serious problems of the industry go unsolved in a charge by Seymour N. Siegel, program director of WNYC, New York municipal station, in an address yesterday before the tenth annual meeting of the Institute for Education by Radio, at the Deshler-Wallich, Columbus.

Siegel also scored the major networks. He declared that "the anti-democratic propaganda" of Father Charles Coughlin and W. J. Cameron of the Ford "Sunday Evening Hour" is as yet completely uncurbed and even ignored by the F.C.C., "theoretical guardians" of radio's interests.

The official pointed out he was not advocating censorship. He said that ruling speakers of the "Coughlin type" off the air could in no way be construed as a blow at the policy of open radio forums, in which he declared his belief. "Both Father Coughlin and Mr. Cameron have repeatedly refused to appear in radio debates or to retract obvious misstatements of fact bordering on libel," he said.

Praising programs such as "Town Meeting of the Air" and "People's Platform," Siegel pointed out that both Father Coughlin and Mr. Cameron had refused invitations to participate in the broadcasts, as well as at the annual convention of the Progressive Education Association held at the Columbia Institute of Arts and Sciences.

### *Sherdeman Wins Award*

HOLLYWOOD, May 2.—Chosen as the best of the "Idea Mart" programs by a jury of radio agency executives and trade newspapermen, Ted Sherdeman's "The Cannon Will Not Fire," an anti-war program, will be presented over a complete NBC network Memorial Day. Sherdeman, an NBC director, was awarded an engraved stop watch by John Swallow, program director here.

## *Radio Personals*

SHELDON STARK, formerly writer for the Kieswetter and Benton & Bowles agencies, has joined the writing staff of WXYZ, King Trendle station in Detroit . . . John Babb, NBC artists service, recovering from an appendectomy . . . George Sax, of the same bureau, is the father of a new daughter . . . Duke Ellington returns from Europe May 10 . . . Johnny Green's orchestra to Boston next week to play a number of dates.

## CBS Clients Lift Spending by 104%

Analysis of current weekly gross expenditures for CBS time shows that the web's present clients are investing 104.6 per cent more than when their campaigns first started on the network.

Examples of the expansion include General Foods, which has advanced from $5,430 in 1932 to a current $66,916; Kellogg, from $3,515 to $14,809 in seven years; Lever Bros., from $12,652 in 1936 to $64,351 today; Noxzema from $1,880 eight years ago to $7,725 now; Procter & Gamble, from $3,806 in 1929 to $40,277 today; International Silver, from $1,177 in 1932 to $5,695 today.

Others are, American Home Products from $942 in 1931, $15,373 current; American Oil, $1,577 to $8,939; American Tobacco, $17,720 to $31,971; Campana, $3,548 to $8,670; Campbell Soup, $15,850, to $46,275; Chrysler, $8,203 to $18,674; Colgate, $35,947 to $46,492; Continental Baking, $2,553 to $11,700; Cudahy, $1,796 to $7,050; DuPont, $5,867 to $8,730; Ford, $16,927 to $17,817.

### *Look Has WNEW Show*

*Look Magazine* has signed a year's contract to sponsor three quarter-hours per week on the "Make Believe Ballroom" over WNEW.

### *Ripley and Thomas Teams Play May 9*

**Soft ball teams headed by Lowell Thomas and Bob Ripley will meet at Madison Square Garden May 9 in a benefit game for the Boys' Club of New York.**

**On the Thomas team will be Lanny Ross, Postmaster General James Farley, Quentin Reynolds, Merlin H. Aylesworth, Graham McNamee, Bruce Barton, Col. John Reed Kilpatrick. Swinging bats on the Ripley side will be Ted Husing, Jack Dempsey, Col. Theodore Roosevelt, Gene Tunney, Fred Allen, Bugs Baer, Frank Buck, Heywood Broun, Westbrook Pegler, Sir Hubert Wilkins.**

## NBC Inaugurates New Interval Plan

NBC Interval Plan, by which advertisers may suspend their broadcasts for a limited period at any time during the fiscal broadcasting year, went into operation yesterday. Outstanding feature of the plan is that it does not alter the current established rates, discounts or rebates.

The plan provides that the rate for each interval week in the case of large advertisers will be 28 per cent of the gross weekly billings of the facilities used during the last week of regular service before the interval. Although agency commission will be allowed on the gross billings, the billing will be subject to no other discount.

Hour programs costing $13,000 or over, half-hour programs, $7,500 or over; quarter-hours, $5,200 or over, will be allowed four interval weeks; $14,000, $8,400, $5,600, respectively, five interval weeks; $16,000, $9,600, $6,400, respectively, six interval weeks; $18,000, $10,800, $7,200, respectively, seven interval weeks; $20,000, $12,000, $8,000, respectively, eight interval weeks.

In addition, advertisers with more than one NBC program may "borrow" vacation weeks from one program and add them to those earned by another, up to a maximum of 13.

### *New Pact for Kate Smith*

Kate Smith yesterday signed a new contract with General Foods Corp., her current sponsor, for an additional three-year period, with options thereafter to run indefinitely. Her current series will continue on the air until June 28 and then return in September.

### *Kills $25,000 Suit*

Federal Judge Alfred C. Coxe has dismissed a $25,000 suit brought by Buggeln & Smith, Inc., advertising agents, against Standard Brands, Inc., sponsor of the Chase & Sanborn Coffee Hour. The suit involved a sales promotion plan commercializing the popularity of Charlie McCarthy.

### *Will Air Beck Speech*

Networks will open earlier than usual Friday in order to broadcast the speech of Col. Josef Beck, Foreign Minister of Poland, before the Polish Parliament. NBC and CBS both plan to open transmitters at 6:45 A. M.

## CBS April Billings Record $2,854,026

CBS had the largest gross billing for April in its history, with a tota of $2,854,026. The percentage rise ove April, 1938, when billings were $2,424,180, was 17.7.

Cumulative billings for the fou months of 1939 totaled $10,995,30 .2 per cent decline compared to $11,018,777 grossed for the sam period last year.

NBC's billings also showed healthy increase, the April billings totalling $3,560,984, compared to th $3,310,505 grossed in April of last year The percentage increase was 7.6.

Cumulative total gross billings wer $15,514,431, an increase of 7.7 per cen compared to the billings for the simila period of 1938, which totaled $14,408,905.

Mutual's billings, reported yesterday, climbed 38.6 per cent for April and the cumulative increase amounte to 22.8 per cent.

### *RCA's Quarter Net Reaches $1,448,11*

Net earnings of $1,448,110 for th first quarter of 1939 were reporte at the annual stockholders' meeting of RCA yesterday. The figure represents a gain of $10,309 over the $1,437,801 earned in the first quarter last year. Current earnings were equal to 4 6/10 cents a common share, compared with share earnings of 4 5/1 cents earned in the corresponding period of 1938.

Gross earnings for the quarter were $25,004,989, compared with $22,630,568 for the quarter last year. David Sarnoff, president of RCA, reported to stockholders that television should eventually prove profitable to RCA both as a new medium of advertising and through the sale of television receivers.

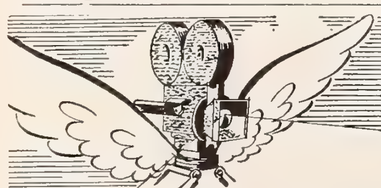
### *Burgess Wins Paley Amateur Radio Prize*

William S. Paley Amateur Radio Award for 1938 has been voted to Wilson E. Burgess, amateur operator of Westerly, L. I., and will be presented at a luncheon in the Hotel Pierre June 6. Selection of Burgess was based on his performance during a hurricane which devastated large sections of New England.

The board which picked Burgess comprises Norman Davis, chairman of the Red Cross; Dr. J. H. Dellinger, Chief of the Radio Section, U. S. Bureau of Standards; Lt. Com. Charles P. Edwards, Chief of Air Services, Department of Transport, Ottawa, Canada; A. E. Kennelly, professor emeritus of electrical engineering, Harvard, and Rear Admiral Russell Randolph Waesche, Commandant, U. S. Coast Guard.

### *CBC Awards Prizes*

MONTREAL, May 2.—Canadian Broadcasting Corp. has awarded the $250 first prize in the drama contest to Noel Watts, of Victoria, B. C., for his half-hour drama "Hang the Peets at Dawn." Marjorie Jordan of Brantford, Ont., took second prize of $150 with "The Doctor's Wife" and E. G. Archibald of Timmins, Ont., won the third award, $100.



. . . EVER *Show* 3-MILE-A-MINUTE SHORTS?

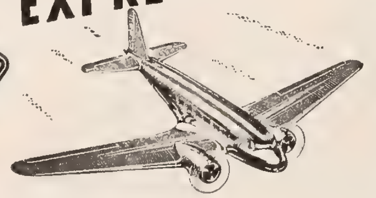
Why not? Top exhibitors do by super-swift AIR EXPRESS deliveries—2500 miles overnight! It's the film formula for box office profits. Day and night, door-to-door distribution for shorts, newsreels, features—anything—right to your door. Special, screen-wise service direct to 232 key cities in United States and Canada with top-speed air-rail connections to off-airline points. Also to Latin America, Hawaii and Far East. Try 3-mile-a-minute AIR EXPRESS today and pack 'em in by showing 'em *first*. For action phone RAILWAY EXPRESS—AIR EXPRESS Division.

◆

**FREE** booklet, "Air Express for Bigger Profits." It tells you *how!* Write Dept. 7, Air Express Division, Railway Express Agency, 230 Park Avenue, New York, N.Y.

AIR EXPRESS

AIR EXPRESS
DIVISION
RAILWAY EXPRESS AGENCY, INC.



MOTION PICTURE
DAILY

# Missouri,' King, $18,000 Minneapolis

MINNEAPOLIS, May 2.—"I'm From ouri" combined with the Wayne band on the stage, was easily best grosser here, getting $18,000 the Orpheum.

In St. Paul, "Oklahoma Kid," th three days of "Mikado in Swing," top honors with $6,000 at the pheum.

Estimated takings for the week end- April 27:

**rowded Hours" (RKO)**
**udden Money" (Para.)**
**ulldog Drummond's Secret Police" (Para.)**
**lmost a Gentleman" (RKO)**
ASTER—(900) (15c-25c) 7 days. Split ek dual bills. Gross: $1,800. (Average, 00)

**hree Smart Girls Grow Up" (Univ.)**
ENTURY—(1,600) (25c-40c) 7 days, 2nd ek. Gross: $5,500. (Average, $4,000)

**et Us Live" (Col.)**
OPHER—(990) (25c) 6 days. Gross: 500. (Average, $2,500)

**m From Missouri" (Para.)**
RPHEUM—(2,900) (35c-55c) 7 days. ayne King on stage. Gross: $18,000. (Av- ge, $4,800)

**uthering Heights" (U. A.)**
TATE—(2,300) (25c-40c) 7 days. Gross: 00. (Average, $4,400)

**mphitryon" (Foreign)**
ORLD—(400) (25c-55c) 7 days. Gross: . (Average, $1,400)

ST. PAUL:

**klahoma Kid" (W. B.)**
RPHEUM—(2,000) (35c-55c) 7 days h "Mikado in Swing" 3 days. Gross: 00. (Average, $3,200)

**uthering Heights" (U. A.)**
ARAMOUNT—(2,500) (25c-40c) 7 days. ss: $4,000. (Average, $4,000)

**opper Takes a Trip" (U. A.)**
IVIERA—(1,000) (25c) 7 days. Gross: 000. (Average, $1,800)

**pirit of Culver" (Univ.)**
**lver on the Sage" (Para.)**
OWER—(1,000) (25c) 7 days. Gross: 500. (Average, $1,500)

**orbidden Territory" (Elliot)**
ORLD—(400) (25c-35c) 7 days. Gross: . (Average, $700)

## ommer to Attend Para. Convention

Erich Pommer, production head of ayflower Films, will attend the Par- ount sales convention in Los An- les, June 8 to 10. He is due here ay 15 from London on the *Nor- dic.*

Pommer will address the convention the Pommer-Laughton-Mayflower ms to be distributed by Paramount re during 1939-'40. Three films are , including "Jamaica Inn," "St. artin's Lane" and "Admirable Crich- n." Budd Rogers, Pommer's Ameri- n representative, also will attend the eting.

## Mono. Films in Chicago

CHICAGO, May 2.—When the execu- e and sales forces of Monogram rive Thursday for the company's an- al convention, two Monogram fea- es will be .on view at first run uses here. "Streets of New York" at the Garrick, and "Mystery of . Wong" at the Central. Louis S. ton, director of advertising and pub- ty, and Manny Reiner, pressbook tor, and John Harrington arrived lay to make advance preparation for meeting.

## More "Hetzfilm"

**Berlin, May 2.—Two more films have been added to the list of "hetzfilm," pictures which the Nazis charge are produced by Americans and the British "to whip up hatred against the totalitarian states." The latest are RKO's "They Made Her a Spy" and the Edith Cavell film which Herbert Wilcox is producing in Hollywood for RKO.**

# 'Hardys' Ride High $13,200 Frisco Gross

SAN FRANCISCO, May 2.—"Dark Victory" and "Kid From Texas" took a big $17,000 at the Fox. Strong with $13,200 at the Paramount were the "Hardys Ride High" and "Society Lawyer."

Estimated takings for the week ending April 25-28:

**"Story of Vernon and Irene Castle" (RKO)**
GOLDEN GATE—(2,800) (35c-40c-55c) 7 days, 3rd week. Stage: Vaudeville. Gross: $10,000. (Average, $15,000)

**"Three Smart Girls Grow Up" (Univ.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days, 4th week. Gross: $6,000. (Average, $8,000)

**"Dark Victory" (W. B.)**
**"Kid From Texas" (M-G-M)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days. Gross: $17,000. (Average, $16,000)

**"The Hardys Ride High" (W. B.)**
**"Society Lawyer" (M-G-M)**
PARAMOUNT—(2,740) (15c-35c-40c-55c-75c) 7 days. Gross: $13,200. (Average, $11,500)

**"Dodge City" (W. B.)**
**"Sudden Money" (Para.)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c-75c) 7 days, 3rd week. Gross: $5,300. (Average, $6,000)

**"Never Say Die" (Para.)**
**"Within the Law" (M-G-M)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days. Gross: $7,500. (Average, $12,000)

**"Wuthering Heights" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65c) 7 days, 3rd week. Gross: $7,500. (Average, $8,000)

**"Pearls of the Crown" (Gallic)**
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,100. (Average, $1,000)

**"Road to Success" (Svensk)**
LARKIN—(390) (15c-35c-40c) 7 days. Gross: $900. (Average, $1,000)

## Wilcox to Produce Film on Kitchener

HOLLYWOOD, May 2.—Herbert Wilcox, here with Anna Neagle, who will star in his picture on the life of Edith Cavell for RKO release, said his next picture would be "Kitchener," based on the life of the famous Englishman.

Following "Kitchener," which will be made in England, Wilcox will return to Hollywood to make "Marie Lloyd," biographical story of England's famed music hall entertainer, in which Miss Neagle also will star. Wilcox and Miss Neagle were introduced to the press at a cocktail party at the Victor Hugo Cafe last night.

## Canadian Premiere Set

TORONTO, May 2.—"Sixty Glorious Years" will have its Canadian premiere May 12 at the Capitol, Ottawa, to coincide with the visit to Canada by the British monarchs. The film is being released in the U.S. as "House of Windsor."

## Ticket Brokers' Bill Up for Early Vote

ALBANY, May 2.—The bill introduced into the New York legislature to place regulation of ticket brokers in the hands of the mayor or commissioner of licenses and remove it from the jurisdiction of the secretary of state seems likely to reach a vote this week. Present indications are that the bill will pass.

The bill, sponsored by Senator Frederic Coudert, Jr., and Assemblyman MacNeil Mitchell, requires brokers to endorse the amount of the price advance on each ticket and limits advances to 75 cents plus tax per ticket.

### Ticket Report to Hofstadter

Report of Referee Morris Cooper, Jr., upholding the validity of the ticket broker code which limits advances on ticket sales, will come up for confirmation before N. Y. Supreme Court Justice Samuel Hofstadter today. Acme Ticket Agency is plaintiff in a suit against League of New York Theatres and Actors' Equity to set aside the code.

## 35 British Films in Canada During 1938

TORONTO, May 2.—British features imported into Canada during 1938 totaled 35, approximately the same total as for 1937. The number of features from all countries was in excess of 400, with France second to the United States in the list of countries of origin.

# SAG Officers Get Writ, Defend Ballot

HOLLYWOOD, May 2.—Factional dispute in the Screen Actors' Guild reached a climax today when directors, officers and members of the Class B Council, governing body for extra players, were served with a temporary restraining order to enjoin the voiding of recent Class B elections.

Ed Heim, Paul Cook and Eddie Aquilania, elected to the Class B Council April 16, are plaintiffs. Lawrence Beilenson, Guild attorney, subsequently declared the election invalid because of an alleged lack of a quorum, on the grounds that 20 per cent of the membership did not participate in the balloting. The board subsequently voted to take a new vote by mail. Superior Court Judge E. H. Wilson signed the temporary order and set a hearing for Friday.

Guild council meeting today was entirely taken up with this matter and discussion of the S.A.G. contract with the Artists' Managers' Guild for licensing agents had to be postponed. With both sides agreed in principle, final action is expected within three weeks. George Murphy, chairman of the S.A.G. negotiating committee, has called a meeting next Monday to set final details.

## Clark, Inc., Continues

Peter Clark, Inc., theatre stage equipment designers, is continuing in business under the active management of Arthur Clark, son and associate of the late Peter Clark, founder of the company, who died in 1934.

The Hollywood story of a successful picture is going the rounds!

HOWARD HAWKS' PRODUCTION
Starring
CARY GRANT ★ JEAN ARTHUR
ONLY ANGELS HAVE WINGS
Story and Direction by HOWARD HAWKS
A COLUMBIA PICTURE

# A CAMPAIGN CONTEST

WITH

# $4,000 IN PRIZES

ON

# ONLY ANGELS HAVE WINGS

As an incentive to all theatre managers and advertising men to develop EXTRAORDINARY campaigns on ONLY ANGELS HAVE WINGS, COLUMBIA will offer $4,000 in prizes for the best campaigns inclusive of advertising, publicity and exploitation.

The contest is open to everyone and prizes will be awarded strictly on the merits of the campaigns regardless of the sizes of the communities. A committee of judges, to be announced shortly, will make the awards.

**FIRST PRIZE . . . . $1,000**

**TEN PRIZES . . . of $300 each**

● *For further details watch trade paper advertising on ONLY ANGELS HAVE WINGS and the next issue of The Columbia Mirror*

COLUMBIA PICTURES

FILE COPY
DO NOT REMOVE

Alert, ntelligent and ndispensable to the Motion Picture ndustry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

45. NO. 86 NEW YORK, THURSDAY, MAY 4, 1939 TEN CENTS

# elznick Role To Be Bigger In UA Affairs

## eveal Plans at Coast Convention Monday

Hollywood, May 3.—David O. lznick's role in the affairs of United tists will be made ascendant. His tures will play a leading part in new season's campaign, and he ll be given a crowning spot on the mpany's producer roster.

With Charles Chaplin, Douglas irbanks, Sr., Samuel Goldwyn, exander Korda, Walter Wanger, nst Lubitsch, Sol Lesser, David ew, Edward Small and Hal Roach, ited Artists will enter the 1939-'40 ason under direction of Murray Silrstone with the greatest number of oducers in its history.

The company's plans will be realed officially at the annual sales nvention which starts at the Hotel nbassador Monday.

All of the U. A. higherups from the st are coming here for the session, addition to the company's branch anagers and sales forces.

### 175 Will Attend

About 175 members of United Arts field sales staff and home office rsonnel will attend the company's tional sales meeting and 20th anniersary celebration at the Ambassador, s Angeles, beginning Monday.

The company's "convention special" t New York at midnight last night d will connect with delegations from her sections of the country at Chigo, Kansas City, Newton, Kan., and Junta, Colo. It is scheduled to arve in Los Angeles on Sunday.

Home office officials who will atnd the meeting, in addition to those med earlier, include Tom Mulney, Seymour Poe, C. M. Steele, rege, Ronald G. Sidley, Robert aly, Steve McGrath, Phil Dow, Jack A. Thompson, Paul O'Brien, Len

(*Continued on page 12*)

## *Tomorrow!*

**Jim Eshelman, manager of the Huron, Huron, S. D., says after visiting the World's Fair on Monday and Tuesday that he knows why they call it "The World of Tomorrow."**

**Trying to get mustard for a hot dog, food at various places, and the like in each case he was informed, "We'll have it tomorrow" or "We'll be ready tomorrow."**

## *Film Stocks Rise In Strong Market*

**Film stocks rose fractionally to almost three points in yesterday's generally stronger market, despite a small turnover. Wall Street was more inclined to credit the more favorable European outlook for the rising market than any prospect of improved business conditions at home.**

**Eight of nine industry issues listed on the N. Y. Stock Exchange showed gains for the day. Loew's and Eastman Kodak led with gains of 2⅝ each. Warners preferred was up 2. Other issues recorded fractional gains.**

# Monogram Opens Meeting at Chicago Today; 150 Attend

Chicago, May 3.—Advances contingents for Monogram's three-day convention arrived today with the remainder of home office and studio delegations expected early tomorrow when the meeting opens at the Drake Hotel.

More than 150 home office and studio executives, exchange heads, franchise holders and salesmen are expected.

Attendance will be 50 per cent higher than last year. Important announcements concerning budget plans

(*Continued on page 9*)

# Mechanical Rights To Songs Assigned To Writers Group

Song Writers' Protective Association, with a membership of 600, has obtained from its membership assignment of all mechanical rights to new songs published after June 1. This assignment will give to the S.W.P.A. control over all recording, transcription and synchronization of compositions by members.

Control over mechanical rights has long been a matter of dispute between composers and music publishers, annual revenue being more than $1,000,000. The assignment, which will be in force for two years, will require publishers to deal directly with the S.W.P.A. for mechanical rights after June 1 and it is likely that negotiations for a new minimum contract will be started. In an effort to call attention to contracts deemed unfair by song writers, the S.W.P.A. will publish on May 15 a circular containing contracts and calling attention to clauses regarded as unfair.

## *Lohr Urges Unity Of Television, Films*

Chicago, May 3.—Television cannot compete with motion pictures, Maj. Lenox Lohr, president of the National Broadcasting Co., said here today. "We must cooperate," he added. "Film costs are too great for us since the cheapest film costs $1,000 a minute to produce."

# *British Groups Protest Taxes to Customs Chief*

London, May 3.—Various trade branches today received invitations to make representations concerning the proposed increased film taxes to the chairman of the Board of Customs, rather than to Sir John Simon, Chancellor of the Exchequer, with whom the trade had requested a hearing.

Protests of the Cinematograph Exhibitors' Association and Kinematograph Renters' Society (distributors) were made today, headed by D. E. Griffiths, K. R. S. president. Newsreels will make their protest tomorrow, while the labor unions, with the support of the Trade Union Congress, will be heard Saturday or Monday.

Griffiths is credited with the belief that Sir John Simon is insistent upon taxing American interests. A joint trade deputation to Simon may follow branch representations to the Board of Customs.

Movietone News is understood to be anxious to dissociate itself from the joint move, on the ground it is hopeful of being able eventually to present the newsreel case to Simon.

In Commons today, Captain Crookshank of the Treasury declared British producers in 1937 used 58,000,000 feet of blank film. He also said the tax revisions were drawn up after consultation with the Board of Trade.

# Ascap to Ask Separate Fee On Television

## *Board Acts on Plan at Meeting Today*

Recommendation that Ascap levy a separate performing fee for use of its music in television broadcasts will be made to the society's board of directors at its regular meeting today. Advance indications are that the board will accept the recommendation.

Matter of a separate fee for television use has not been decided heretofore due to Ascap's willingness to permit free use of its music during the experimental stages of television. With the beginning of sales of receiving sets to dealers by the broadcasters or their affiliates, however, Ascap's attorneys, Schwartz & Frohlich, are understood to regard television as having entered the commercial stage. In this stage, according to their opinion, use of Ascap music on programs designed to aid in the sale of television receiving sets to the public, constitutes a separate "public performance for profit" which is not covered by the broadcasters' radio performing rights. Louis D. Frohlich, Ascap counsel, is expected to so hold at today's board meeting.

Insofar as could be learned, Ascap has not progressed as far as consideration of rates for television performing rights to its music.

## *State Senate Votes Tax on Sports Films*

Albany, May 3.—State Senate today passed the bill of Senator William T. Condon providing that five per cent of the gross receipts from motion picture rights to boxing bouts, wrestling matches, and other sports be paid to the state.

## *Registration for N. Y. World's Fair*

**Readers planning to come to the World's Fair are invited to notify *Motion Picture Daily* in advance of or on their arrival, for registration. Thus those desirous of locating other industry visitors will be able to do so by calling at our offices or phoning CIrcle 7-3100, asking for "World's Fair Bureau."**

**A coupon for convenient registration is on Page 9.**

## Verboten!

**Berlin, May 3.—By Government decree, all music considered harmful to the National Socialist culture has been banned. The Reichsmusikkammer has issued a list of proscribed numbers, the publication, sale and performance of which are forbidden in Greater Germany.**

## RKO Gives Prizes To Star Salesmen

Gold money clips were awarded to managers of six winning exchanges by RKO studios for their work during March, which was Studio Appreciation Month. Silver clips went to salesmen and office managers or head brokers.

Each clip was inscribed with the monogram of the recipient, the legend "Studio Appreciation, March, 1939" and the RKO trademark.

Winners were: Detroit—Manager J. F. Sharkey, Salesmen W. D. Ward, F. M. Bonnem and M. E. Cohen, and Office Manager C. R. Waxman. Charlotte—Manager J. P. Brecheen, Salesmen R. F. Branon, R. S. Mitchell and F. W. Gebhardt, and Office Manager W. W. Lake. Atlanta—Manager G. C. Brown, Salesmen R. C. Price, F. W. Salley and P. Harrison, and Office Manager I. P. Stone. Washington—Manager R. J. Folliard, Salesmen H. E. Kahn, E. W. Grover, O. Knox and A. P. Folliard, and Office Manager J. R. Hildebrand. New York—Manager R. S. Wolff, Salesmen P. Hodes, E. T. Carroll, J. J. Dacey, J. Ellis, L. I. Kutinsky and H. Zeitels, and Office Manager F. L. Drumm. Calgary—Manager H. F. Taylor, Salesman J. S. McPherson and Head Booker P. Cardell.

Detroit is in the lead in the George Schaefer Drive after 12 of the 18 weeks have elapsed. Buffalo exchange is second and New York third. East central district, headed by Nat Levy, is first among the seven districts, with the eastern division leading the western.

## *Neely's Bill Draws Macfadden Attack*

Readers of *Liberty* are urged in a leading editorial signed by Bernarr Macfadden in the current issue, to write to their Congressmen in opposition to the Neely anti-block booking bill. The editorial, titled "The Motion Picture Business a Political Football," asserts that "to adopt the mechanical procedure necessary to Government control of such a business would be disastrous."

"Motion pictures," Macfadden states, "are now our principal source of entertainment. The censorship we have at the present time is often foolish and occasionally obnoxious."

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

# *Purely Personal*

OTTO E. KOEGEL, is recovering at St. Luke's Hospital, where he underwent an operation on Tuesday.

•

Ernesto P. Smith, Columbia manager for Cuba, arrives in New York tomorrow on the *Oriente*, and Sigwart Kusiel, manager for Mexico, arrives Sunday by plane. Both will attend the company's annual sales meeting opening Monday in Atlantic City.

•

James Roosevelt, vice-president of Samuel Goldwyn, Inc., went on the air for "Wuthering Heights" over station PTT, Paris, last night following the premiere of the picture at the Biarritz. Press releases referred to it as a "Fireside Chat." Roosevelt is due here Monday on the *Queen Mary*.

•

Paul Graetz, head of Transcontinental Films, is en route back to France on the *Normandie* following conferences here with J. A. McConville, Columbia foreign head, on several productions he is making for Columbia release.

•

Percival J. Hay of London will speak at a showing of "Eyes Right," British documentary film, sponsored today by the National Society for the Prevention of Blindness.

•

G. L. Carrington, vice-president and general manager of Altec, has returned from a two-week trip through the south and midwest.

•

Mack Sennett, veteran producer, will be associate producer with Harry Joe Brown on 20th Century-Fox's "Hollywood Cavalcade."

•

Sam Lefkowitz, office manager of the Warner New York exchange, has left for a two-week vacation.

•

Sinclair Lewis has returned east and is shuttling between New York and his Vermont farm.

•

James A. FitzPatrick has been in Washington making a film of the capital.

•

Richard Ettleson, head of Consolidated Theatres in New Jersey, is ill.

LEO SAMUELS of the Walt Disney eastern office and Aida Quirighetti will be married Sunday at the Fifth Ave. Presbyterian Church. A reception at the Hotel Lombardy will follow.

•

Captain P. C. Passman, president of General Register Corp., is recovering at the New York Hospital after an operation. He was stricken while en route from Mexico and the west coast.

•

A. Suarez del Rivero, Latin American publicity head for Columbia, and Sydney Davis, formerly with that company, are completing a film scenario with a Pan-American theme.

•

Jerry Horwin, co-author with John Larkin of "Rose of Washington Square," will leave today for the coast to resume writing at the 20th Century-Fox studio.

•

Harry Kosiner, Walter Wanger's eastern representative, left last night for the coast to attend the United Artists sales convention.

•

Barney Balaban, John Hicks, Alex Gumberg, Tamara, Jack Forrest, Marjorie Stafford at Sardi's for luncheon yesterday.

•

Roy Haines, eastern and Canadian sales manager for Warners, returned yesterday from a trip to the Boston and Buffalo branches.

•

W. C. Gehring, 20th Century-Fox central division manager, leaves tonight for Chicago, Minneapolis and Milwaukee.

•

Herman Pitt, operator of the St. George Playhouse in Brooklyn, has returned from a Miami vacation.

•

M. J. Siegel, Republic producer, is in New York for about a month, combining a rest with business.

•

Art Schmidt of Loew's advertising department has returned from a tour of out-of-town theatres.

•

Walter Reade, Jr., will leave June 11 for a coast vacation.

•

George Sanders is in town from the coast.

## *Olson Buys Bair's Indianapolis Circuit*

Indianapolis, May 3.—Purchase of the Bair circuit was announced today by Charles M. Olson, owner of the Lyric and the property leased by the Apollo and Rivoli theaters.

Included in the deal is the Vogue, new neighborhood house operated by Carl Niesse. The operating company is to be known as the Charles M. Olson Enterprises, and will control the Lyric, Vogue and five neighborhoods owned for several years by Roy R. Bair: Ritz, Uptown, St. Clair, Oriental and Strand.

Mr. Olson said the new firm will build three additional deluxe neighborhoods, each having about 2,000 seats.

Officers of the new firm: Olson, president; Jean Marks, vice-president; E. M. Olson, treasurer; Bair, secretary, and Niesse, general manager.

## *Reserve Decision in Pathe Holder's Suit*

N. Y. Supreme Court Justice Samuel I. Rosenman reserved decision yesterday on the application of Anna Bashlow, minority stockholder, for the right to inspect the books and records of Pathe Film Corp. Named as respondents are the company, and its officers and directors.

Plaintiff contends that she is entitled to inspect the books to determine the value of her stock and to determine whether any acts of mismanagement have occurred. The defense pointed out that the same plaintiff brought suit to enjoin the 1938 plan for distribution of DuPont Film stock and that Justice Philip McCook denied the motion at that time. It was also alleged that full access to the books had been granted to the plaintiff.

## *M-G-M Aims Ads At Fair Visitor*

**Capitol, Astor and Loew's
State are mentioned as thea
tres to visit in newspaper ad
placed out of town by M-G-M
in conjunction with the Loew
circuit. The idea is to appea
to those visiting the World's
Fair. The State is publicize
as the country's leadi
vaudeville house.**

## Hears RKO Bond Appeal Tomorr

Federal Judge William Bondy
hear an application of H. Casse
Co. tomorrow for an extensio
time during which it may elect
exchange of RKO debentures.

Extension requested is until 20
after the determination by the Ci
Court of Appeals of Cassell's ap
from the order confirming the pla
reorganization.

Cassell states that no underwr
agreement will be submitted by A
Corp., proponent of the plan,
after decision on appeal, and that
holders will not be able to deter
which election will be best until
spection of the underwriting ag
ment.

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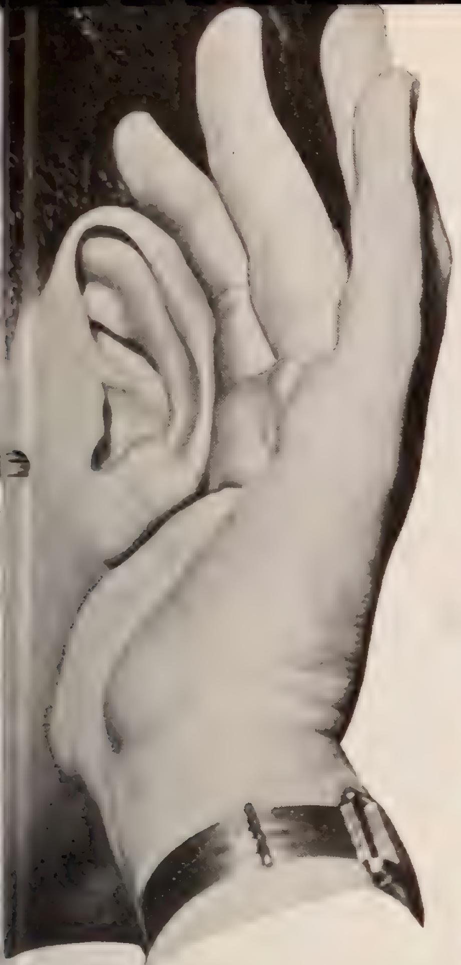

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THE KID FROM KOKOMO
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FOUR DAUGHTERS

**JACK L. WARNER** *In Charge of Production* • **HAL B. WALLIS** *Executive Producer*

*(Dare 'em to compare 'em! It's the Fair Way!)*

### Verboten!

**Berlin, May 3.—By Government decree, all music considered harmful to the National Socialist culture has been banned. The Reichsmusikkammer has issued a list of proscribed numbers, the publication, sale and performance of which are forbidden in Greater Germany.**

## RKO Gives Prizes To Star Salesmen

Gold money clips were awarded to managers of six winning exchanges by RKO studios for their work during March, which was Studio Appreciation Month. Silver clips went to salesmen and office managers or head brokers.

Each clip was inscribed with the monogram of the recipient, the legend "Studio Appreciation, March, 1939" and the RKO trademark.

Winners were: Detroit—Manager J. F. Sharkey, Salesmen W. D. Ward, F. M. Bonnem and M. E. Cohen, and Office Manager C. R. Waxman. Charlotte—Manager J. P. Brecheen, Salesmen R. F. Branon, R. S. Mitchell and F. W. Gebhardt, and Office Manager W. W. Lake. Atlanta—Manager G. C. Brown, Salesmen R. C. Price, F. W. Salley and P. Harrison, and Office Manager I. P. Stone. Washington—Manager R. J. Folliard, Salesmen H. E. Kahn, E. W. Grover, O. Knox and A. P. Folliard, and Office Manager J. R. Hildebrand. New York—Manager R. S. Wolff, Salesmen P. Hodes, E. T. Carroll, J. J. Dacey, J. Ellis, L. I. Kutinsky and H. Zeitels, and Office Manager F. L. Drumm. Calgary—Manager H. F. Taylor, Salesman J. S. McPherson and Head Booker P. Cardell.

Detroit is in the lead in the George Schaefer Drive after 12 of the 18 weeks have elapsed. Buffalo exchange is second and New York third. East central district, headed by Nat Levy, is first among the seven districts, with the eastern division leading the western.

## *Neely's Bill Draws Macfadden Attack*

Readers of *Liberty* are urged in a leading editorial signed by Bernarr Macfadden in the current issue, to write to their Congressmen in opposition to the Neely anti-block booking bill. The editorial, titled "The Motion Picture Business a Political Football," asserts that "to adopt the mechanical procedure necessary to Government control of such a business would be disastrous."

"Motion pictures," Macfadden states, "are now our principal source of entertainment. The censorship we have at the present time is often foolish and occasionally obnoxious."

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

# *Purely Personal*

OTTO E. KOEGEL, is recovering at St. Luke's Hospital, where he underwent an operation on Tuesday.

•

Ernesto P. Smith, Columbia manager for Cuba, arrives in New York tomorrow on the *Oriente*, and Sigwart Kusiel, manager for Mexico, arrives Sunday by plane. Both will attend the company's annual sales meeting opening Monday in Atlantic City.

•

James Roosevelt, vice-president of Samuel Goldwyn, Inc., went on the air for "Wuthering Heights" over station PTT, Paris, last night following the premiere of the picture at the Biarritz. Press releases referred to it as a "Fireside Chat." Roosevelt is due here Monday on the *Queen Mary*.

•

Paul Graetz, head of Transcontinental Films, is en route back to France on the *Normandie* following conferences here with J. A. McConville, Columbia foreign head, on several productions he is making for Columbia release.

•

Percival J. Hay of London will speak at a showing of "Eyes Right," British documentary film, sponsored today by the National Society for the Prevention of Blindness.

•

G. L. Carrington, vice-president and general manager of Altec, has returned from a two-week trip through the south and midwest.

•

Mack Sennett, veteran producer, will be associate producer with Harry Joe Brown on 20th Century-Fox's "Hollywood Cavalcade."

•

Sam Lefkowitz, office manager of the Warner New York exchange, has left for a two-week vacation.

•

Sinclair Lewis has returned east and is shuttling between New York and his Vermont farm.

•

James A. FitzPatrick has been in Washington making a film of the capital.

•

Richard Ettleson, head of Consolidated Theatres in New Jersey, is ill.

LEO SAMUELS of the Walt Disney eastern office and Aida Quirighetti will be married Sunday at the Fifth Ave. Presbyterian Church. A reception at the Hotel Lombardy will follow.

•

Captain P. C. Passman, president of General Register Corp., is recovering at the New York Hospital after an operation. He was stricken while en route from Mexico and the west coast.

•

A. Suarez del Rivero, Latin American publicity head for Columbia, and Sydney Davis, formerly with that company, are completing a film scenario with a Pan-American theme.

•

Jerry Horwin, co-author with John Larkin of "Rose of Washington Square," will leave today for the coast to resume writing at the 20th Century-Fox studio.

•

Harry Kosiner, Walter Wanger's eastern representative, left last night for the coast to attend the United Artists sales convention.

•

Barney Balaban, John Hicks, Alex Gumberg, Tamara, Jack Forrest, Marjorie Stafford at Sardi's for luncheon yesterday.

•

Roy Haines, eastern and Canadian sales manager for Warners, returned yesterday from a trip to the Boston and Buffalo branches.

•

W. C. Gehring, 20th Century-Fox central division manager, leaves tonight for Chicago, Minneapolis and Milwaukee.

•

Herman Pitt, operator of the St. George Playhouse in Brooklyn, has returned from a Miami vacation.

•

M. J. Siegel, Republic producer, is in New York for about a month, combining a rest with business.

•

Art Schmidt of Loew's advertising department has returned from a tour of out-of-town theatres.

•

Walter Reade, Jr., will leave June 11 for a coast vacation.

•

George Sanders is in town from the coast.

## *Olson Buys Bair's Indianapolis Circuit*

Indianapolis, May 3.—Purchase of the Bair circuit was announced today by Charles M. Olson, owner of the Lyric and the property leased by the Apollo and Rivoli theaters.

Included in the deal is the Vogue, new neighborhood house operated by Carl Niesse. The operating company is to be known as the Charles M. Olson Enterprises, and will control the Lyric, Vogue and five neighborhoods owned for several years by Roy R. Bair: Ritz, Uptown, St. Clair, Oriental and Strand.

Mr. Olson said the new firm will build three additional deluxe neighborhoods, each having about 2,000 seats.

Officers of the new firm: Olson, president; Jean Marks, vice-president; E. M. Olson, treasurer; Bair, secretary, and Niesse, general manager.

## *Reserve Decision in Pathe Holder's Suit*

N. Y. Supreme Court Justice Samuel I. Rosenman reserved decision yesterday on the application of Anna Bashlow, minority stockholder, for the right to inspect the books and records of Pathe Film Corp. Named as respondents are the company, and its officers and directors.

Plaintiff contends that she is entitled to inspect the books to determine the value of her stock and to determine whether any acts of mismanagement have occurred. The defense pointed out that the same plaintiff brought suit to enjoin the 1938 plan for distribution of DuPont Film stock and that Justice Philip McCook denied the motion at that time. It was also alleged that full access to the books had been granted to the plaintiff.

### *M-G-M Aims Ads At Fair Visitors*

**Capitol, Astor and Loew's State are mentioned as theatres to visit in newspaper ads placed out of town by M-G-M in conjunction with the Loew circuit. The idea is to appeal to those visiting the World's Fair. The State is publicized as the country's leadin vaudeville house.**

## Hears RKO Bond Appeal Tomorro

Federal Judge William Bondy
hear an application of H. Cassel
Co. tomorrow for an extension
time during which it may elect
exchange of RKO debentures.

Extension requested is until 20
after the determination by the Cir
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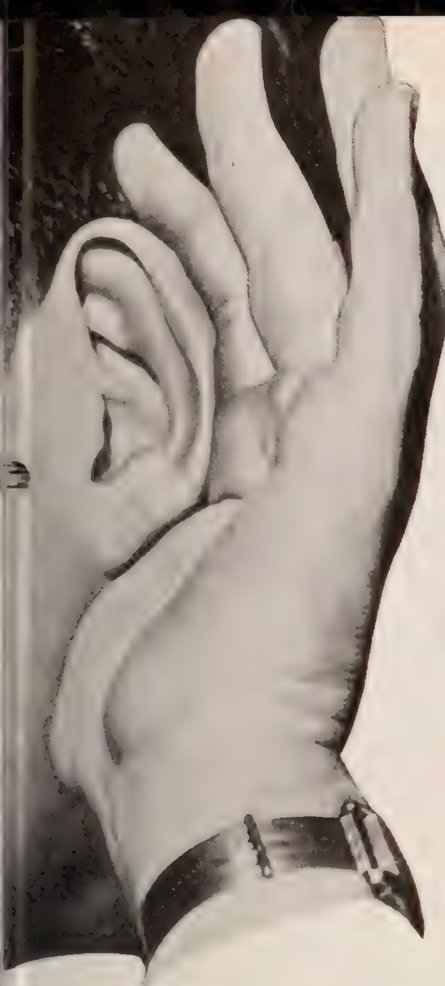

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FOUR DAUGHTERS

JACK L. WARNER *In Charge of Production* • HAL B. WALLIS *Executive Producer*

*(Dare 'em to compare 'em! It's the Fair Way!)*

# 'Victory' at Seattle Good With $8,700

SEATTLE, May 3.—"Dark Victory" and "Society Lawyer" at the Fifth Avenue led with $8,700. "The Story of Alexander Graham Bell" and "Sudden Money" drew $7,200 at the Paramount.

"Ride a Crooked Mile" and "The Last Warning" took $5,200 at the Palomar. The weather was fine.

Estimated takings for the week ending April 28:

**"Vernon and Irene Castle" (RKO)**
**"The Saint Strikes Back" (RKO)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 2nd week. Gross: $3,800. (Average, $4,000)

**"Dark Victory" (W. B.)**
**"Society Lawyer" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $8,700. (Average, $7,000)

**"Yes, My Darling Daughter" (W. B.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 3rd week. Gross: $3,200. (Average, $5,000)

**"Dodge City" (W. B.)**
**"Winner Take All" (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 7 days, 2nd week. Gross: $4,900. (Average, $6,000)

**"Ride a Crooked Mile" (Para.)**
**"The Last Warning" (Univ.)**
PALOMAR—(2,500) (15c-25c-30c-40c) 7 days. Vaudeville headed by the Ambassadorettes. Gross: $5,200. (Average, $5,000)

**"Story of Alexander Graham Bell" (20th-Fox)**
**"Sudden Money" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $7,200. (Average, $6,000)

**"The Lady Vanishes" (G. B.)**
UPTOWN—(750) (30c-40c) 7 days. Gross: $1,950. (Average, $1,500)

# 'Midnight' Draws $26,000 Cleveland

CLEVELAND, May 3.—Judy Garland headlining the first stage show at Loew's State in more than two years, with "Midnight" as the screen attraction, took a smash $26,000.

"The Hound of the Baskervilles" divided honors with Jimmy Dorsey and his orchestra at the RKO Palace for $15,000. "Dodge City" for the third week at the Allen did $5,000. The weather was fine.

Estimated takings for the week ending April 28:

**"Dodge City" (W. B.)**
ALLEN—(3,000) (30c-35c-42c) 7 days, 3rd week. Gross: $5,000. (Average, $4,000)

**"Story of Vernon and Irene Castle" (RKO)**
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $11,000. (Average, $12,000)

**"Hound of the Baskervilles" (20th-Fox)**
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Vaudeville headlining Jimmy Dorsey and Orchestra. Gross: $15,000. (Average, $15,000)

**"Midnight" (Para.)**
LOEW'S STATE—(3,500) (30c-42c-55c) 7 days. Stage: Judy Garland in person and four acts of vaudeville. Gross: $26,000. (Average, $15,000)

**"King of the Turf" (U. A.)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $2,500. (Average, $4,000)

**"Potemkin" (Amkino)**
**"The Country Bride" (Amkino)**
CITY—(485) (35c-42c) 7 days. Gross: $600. (Average, $900)

## 20th-Fox Office to Move

Chicago branch of 20th Century-Fox will move into new quarters late in June. The building is under construction. The company's new exchange building in Milwaukee is scheduled for occupancy May 8.

# Hollywood Preview

## "Reform School"

*(Million Dollar Productions)*

HOLLYWOOD, May 3.—With Louise Beavers starred and Reginald Fenderson, Maceo Sheffield and Monte Hawley featured in an all-Negro cast, "Reform School" naturally is an attraction for theatres catering exclusively to all-Negro clientele or houses heavily patronized by that race.

The story, and all production detail, is a melodramatic indictment of the cruel and inhuman treatment practised upon youthful inmates of a reform school. While there are occasional flashes of humor, there is no romantic interest, as the picture confines itself to Miss Beavers' determined effort to transform the brutal discipline of the school to discipline rooted in kindness, understanding and encouragement. Her struggle is vividly described in characterizations, situations and dialogue. The picture reaches its condition-changing climax when, after Sheffield is removed as superintendent and Miss Beavers is placed in charge, the persecuted Fenderson and his comrades turn the tables on the renegade guard, Hawley, who has tried to make it appear that Fenderson has stolen school funds.

Produced and directed by H. M. Popkin, the production has been intelligently designed and developed to accommodate the market it will serve.

Running time, 80 minutes. "G."* G. McC.

---

*"G" denotes general classification.*

# 'Winner,' Tucker Kansas City Lead Grossing $12,400

KANSAS CITY, May 3.—Orrin Tucker and "Winner Take All" took $12,400 at the Fox Tower. "Dark Victory" grossed $7,400 at the Orpheum, and "East Side of Heaven" was strong at both the Esquire and Uptown, taking $3,800 at the first and $3,700 at the Uptown.

Estimated takings for the week ending April 24-27:

**"Dodge City" (W. B.)**
NEWMAN—(1,900), (25c-40c) 6 days, 3rd week. Gross: $4,600. (Average, 6 days, $6,000.)

**"East Side of Heaven" (Univ.)**
ESQUIRE—(800) (25c-40c) 7 days. Gross: $3,800. (Average, $3,000.)

**"Let Freedom Ring" (M-G-M)**
**"Prison Without Bars" (U. A.)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $8,000. (Average, $11,500.)

**"Dark Victory" (W. B.)**
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $7,400. (Average, $5,000.)

**"Winner Take All" (20th-Fox)**
FOX TOWER—(2,200) (25c-40c) 7 days. Stage: Orrin Tucker & Orchestra, and acts. Gross: $12,400. (Average, $7,000.).

**"East Side of Heaven" (Univ.)**
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $3,700. (Average, $3,500.)

## English Film Appeal Board Lunch Is Set

LONDON, May 3. — Inception of the National Joint Appeal Board, formed to settle the problems of the industry, is to be celebrated at a luncheon jointly held by the C. E. A. and the N. A. T. K. E. on May 9. F. W. Leggett of the Ministry of Labor, will take the chair.

The function will mark a decisive point in the campaign, which has been in progress for many months, by which the C. E. A. has concluded agreement with the labor unions on a national basis as well as district agreements in many parts of the country.

# 'Wuthering' Does $17,000, Leading Pittsburgh Gross

PITTSBURGH, May 3.—Loew's Penn paced the field with $17,000 on "Wuthering Heights," followed by $13,500 for "The Castles" at the Stanley without a stage show. Third week of "Dodge City" took $6,200 at the Warner. "Alexander Graham Bell" grossed $8,500 at the Alvin.

Estimated takings for the week ending April 27:

**"The Story of Alexander Graham Bell" (20th-Fox)**
ALVIN—(1,900) (25c-35c-50c) 7 days. Gross: $8,500. (Average, $7,000)

**"East Side of Heaven" (Univ.)**
FULTON—(1,700) (25c-40c) 4 days, 3rd week. Gross: $2,300. (Average, 7 days, $5,000)

**"Wuthering Heights" (U. A.)**
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $17,000. (Average, $15,000)

**"Three Smart Girls Grow Up" (Univ.)**
SENATOR—(2,000) (25c-40c) 7 days, 3rd week. Gross: $3,000. (Average, $3,800)

**"The Castles" (RKO)**
STANLEY—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average, $17,000)

**"Dodge City" (W. B.)**
WARNER—(2,000) (25c-40c) 7 days, 3rd week. Gross: $6,200. (Average, $4,500)

## 'Baby Ann' at Fay's

"Baby Mary Ann," six-year-old, who has appeared on several radio programs, has been booked for Fay's Theatre, Providence, for the week of May 5. A. I. Feinberg is personal representative for the child.

## Roach Signs Rettig

HOLLYWOOD, May 3.—Hal Roach has signed Earl Rettig to a one-year contract as casting director at the Roach Studio.

## Massce & Co. Moves

Massce & Co., film forwarders, have moved their main offices from 42 Stone St. to 723 Seventh Ave., where they will occupy two floors.

# 'Wuthering' Clicks In Washington wit Big $15,500 Gros

WASHINGTON, May 3.—"Wutheri Heights" returned an excellent $1 500 at Loew's Palace and was t local bell-ringer. "Let Freedo Ring" at Loew's Capitol grossed 200.

A stage show helped "I'm Fro Missouri" draw $14,000 in six days Warners' Earle.

Estimated takings for the week en ing April 27:

**"Let Freedom Ring" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-65c) days. Stage: Art Godfrey. Gross: $17,2 (Average, $16,500)

**"Prison Bars" (U. A.)**
LOEW'S COLUMBIA—(1,243) (25c-40c days. Gross: $4,500. (Average, $4,500)

**"Wuthering Heights" (U. A.)**
LOEW'S PALACE—(2,370) (25c-55c) days. Gross: $15,500. (Average, $12,000)

**"Three Smart Girls Grow Up" (Univ.)**
RKO-KEITH'S—(1,836) (25c-55c) 7 da 2nd week. Gross: $6,000. (Average, $6,000

**"I'm From Missouri" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) days. Stage: Vincent Lopez, Abbott a Costello, Patricia Ellis. Gross: $14,000. (A erage, 7 days, $16,000)

**"Blackwell's Island" (W. B.)**
WARNERS' METROPOLITAN—(1,5 (25c-40c) 5 days, 2nd run. Gross: $3,0 (Average, 7 days, $4,000)

## 'Wuthering' Draws $6,500 in Montre

MONTREAL, May 3.—"Three Sm Girls Grow Up" accounted for a fi $10,500 at the Palace, while "Wuthering Heights" grossed $6,500 at t Orpheum.

The second week of "The Mikad took $7,000 at Loew's.

Estimated takings for the week en ing April 29:

**"Let Freedom Ring" (M-G-M)**
**"Beauty for the Asking" (RKO)**
CAPITOL—(2,547) (25c-40c-55c-65c) days. Gross: $7,500. (Average, $8,000)

**"The Mikado" (Univ.)**
LOEW'S—(2,800) (30c-40c-60c) 7 da Gross: $7,000, 2nd week. (Average, $7,0

**"Wuthering Heights" (U. A.)**
ORPHEUM—(919) (25c-35c-50c) 7 da Gross: $6,500. (Average, $5,000)

**"Three Smart Girls Grow Up" (Univ.)**
PALACE—(2,600) (25c-40c-55c-65c) 7 da Gross: $10,500. (Average, $10,000)

**"Let Us Live" (Col.)**
**"Blondie Meets the Boss" (Col.)**
PRINCESS—(2,272) (25c-35c-50c-65c) days. Gross: $4,500. (Average, $6,500)

## 'East Side,' $13,000 Is Smash in Buffal

BUFFALO, May 3.—"East Side Heaven" took $13,000 at the Lafayet

"The Hardys Ride High" at t Buffalo earned $14,800. A Centu dual, "The Hound of the Baskerville and "Winner Take All," gross $6,900.

Estimated takings for the week en ing April 28:

**"The Hardys Ride High" (M-G-M)**
BUFFALO—(3,000) (30c-55c) 7 da Gross: $14,800. (Average, $12,000)

**"Broadway Serenade" (M-G-M)**
**"The Kid From Texas" (M-G-M)**
GREAT LAKES—(3,000) (30c-50c) 7 da Gross: $5,400. (Average, $7,500)

**"Story of Vernon and Irene Castle" (RK**
**"The Saint Strikes Back" (RKO)**
HIPPODROME—(2,500) (25c-40c) 7 da 2nd week. Gross: $5,400. (Average, $6,800)

**"Hound of the Baskervilles" (20th-Fox)**
**"Winner Take All" (20th-Fox)**
CENTURY—(3,000) (25c) 7 days. Gros $6,900. (Average, $6,000)

**"East Side of Heaven" (Univ.)**
**"Gambling Ship" (Univ.)**
LAFAYETTE—(3,300) (25c) 7 da Gross: $13,000. (Average, $6,300)

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ONLY ANGELS HAVE WINGS

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Screen play by Jules Furthman
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Screen play by Jules Furthman
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# ONLY ANGELS HAVE WINGS

THOMAS MITCHELL • RITA HAYWORTH • RICHARD BARTHELMESS
STORY and DIRECTION by HOWARD HAWKS
Screen play by Jules Furthman

*A Columbia Picture*

COLUMBIA PICTURES

PRINTED IN U.S.A.

## lonogram Opens Meeting at Chicago Today; 150 Attend

(*Continued from page 1*)

next year's production will be de early in the session, with full ails of story properties, casting and number of features for the 40 season to be released tomor- v.

W. Ray Johnston, president, will eside. A number of informal con- ences have been set in various suites the hotel for discussion of special- d problems. Johnston will conduct e, and Scott R. Dunlap, vice-presi- nt in charge of production, Edward Golden, vice-president in charge distribution, and George W. Weeks, e-president in charge of sales, will ect the others.

Convention guests will be enter- ned tomorrow at a reception and cktail party at exchange headquar- s here. Henri Elman will be host.

ranchise holders' meeting will be ld during the afternoon to be fol- wed by an advisory committee din- r. Business discussions will start the evening.

John Trent, star of Monogram's ailspin Tommy" series, also will on hand for the convention opening. artin Spellman, juvenile star, ac- mpanied by his mother, and Frankie arro are also due to arrive tomor- w.

### John Trent on Air Tonight

John Trent, star of Monogram's Mystery Plane," will be heard over 32-station CBS web tonight on the Howie Wing" broadcast. Special okup from Chicago will be utilized r Trent, attending the Monogram nvention there. Program eman- es from New York.

## ndependents Face London CEA Fight

London, May 3.—Jack Alexander, airman of the independents' commit- e of the London Branch of the Cine- atograph Exhibitors' Association, as challenged the potential obstruc- on of the committee's functioning on e ground of alleged absence of a finition of the term independent.

Alexander claims the constitutional ppointment of the committee by the ranch removes any further need for definition. A dispute within the ranch is foreshadowed.

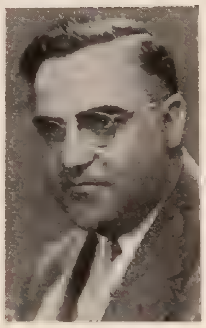
## . S. Rosenthal Now L. A. Tax Consultant

Los Angeles, May 3.—Aaron S. osenthal, formerly controller for Re- ublic and Grand National, has opened n office in the Union Bank Building ere as an accountant and tax con- ultant. He was for many years with e Internal Revenue department.

## Sagall Coming Here

London, May 3. — Solomon Sa- all, chief of the Scophony Tele- ision, plans a trip to the United tates within the next few weeks. Ac- ording to Sagall the visit is in con- ection with the equipment of theatres ith Scophony.

# *Presiding at Monogram's Convention*



**RAY JOHNSTON**
President of Monogram

**E. A. GOLDEN**
Vice-President of Distribution

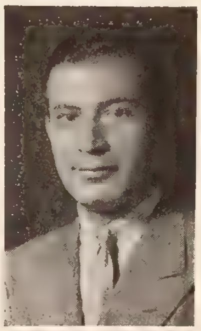
**GEORGE WEEKS**
Vice-President of Sales

**LEON FROMKESS**
Treasurer of Monogram

**SCOTT DUNLAP**
Vice-President of Production

**LOUIS LIFTON**
Head of Adv. and Publicity

**SOL ROSENBLATT**



**WILLIAM JAFFE**

## *Loew Transfers Made*

S. H. Meinhold, Loew circuit executive, has made the following transfers of assistant managers: C. Robinson from Embassy, North Bergen, N. J., to Ziegfeld; Joseph Stica from Dyckman to Embassy; Bert Rothschild from Ziegfeld to Dyckman.

## *Films in Scotch Schools*

London, May 3. — Forty Edinburgh schools now make regular use of films for educational purposes. The Education Committee of the city promises further developments during the year. Twenty-seven schools are to show government films on civics.

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## *Okla. Independents Study Pool May 9*

Oklahoma City, May 3.—A meeting of independent exhibitors interested in forming a buying pool is scheduled here May 9, according to George Sumner, contact man for the buying group.

Despite the Government's suit against the Griffith Amusement Co. and affiliated companies asking that the Griffith organization be broken up, independent exhibitors are going ahead with their plans for organization, Sumner said.

The plan is understood to have been unofficially approved by the Department of Justice. Out-of-state men will come here to speak at the meeting as will a representative from the Department of Justice.

## *OklahomaConvention Will Be Held June 26*

Oklahoma City, May 3.—Annual convention of the Oklahoma Theatres Owners, Inc., tentatively set for June 19 and 20, has been definitely set for June 26 and 27, according to Morris Loewenstein, association president, who is also secretary of the national M.P.T.O.A.

Ed Kuykendall, M.P.T.O.A. president, will be present. No general meeting of the state association has been held since the national M.P.T.O.A. convention in Oklahoma City last November. Annual election of officers will be held at the June meeting.

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| March 31 | North of the Yukon<br>*Starrett*<br>Romance of Redwoods (O)<br>*Bickford* | Society Lawyer (A) (D)<br>*Pidgeon*<br>*Bruce*<br>*Carrillo* | | Sudden Money (G) (C)<br>*Ruggles*<br>Silver on the Sage<br>*William Boyd* | Mexicali Rose (O)<br>*Gene Autry* | Almost a Gentleman (G) (D)<br>*James Ellison* | Hound of the Baskervilles (G) (D)<br>*Greene*<br>*Rathbone* | | Family Next Door (G) (C)<br>*Hugh Herbert*<br>*Joy Hodges* | On Trial (G) (D)<br>*John Litel*<br>*Margaret Lindsay* |
| April 7 | The Lady and the Mob (G) (C)<br>*Fay Bainter*<br>*Ida Lupino* | Broadway Serenade (G) (M)<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | Undercover Agent<br>*Russell Gleason*<br>*Shirley Deane* | I'm From Missouri (G) (C)<br>*Bob Burns*<br>3830 | | Love Affair (G) (D)<br>*Boyer*<br>*Irene Dunne*<br>Flying Irishman (G) (D) | Mr. Moto in Danger Island (G) (D)<br>*Lorre*<br>*Hersholt* | | East Side of Heaven (G) (C)<br>*Bing Crosby*<br>*Joan Blondell* | Dodge City (G) (D)<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* |
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas (G) (C)<br>*Denis O'Keefe*<br>*Rice* | Streets of New York (G) (D)<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders (O)<br>*John Wayne* | They Made Her a Spy (G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell (G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights (A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | Code of the Streets (G) (D)<br>*Harry Carey*<br>*Frankie Thomas* | Women in the Wind (G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High (G) (C)<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven (G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (G) (O)<br>*Roy Rogers* | Fixer Dugan<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | Big Town Czar (G) (D)<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare (G) (D)<br>*Lionel Barrymore*<br>*Lew Ayres* | | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men (G) (D)<br>Blue Montana Skies (G) (O) | The Story of Vernon and Irene Castle (G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid (G) (D)<br>*Baxter*<br>Climbing High<br>*Matthews* | | For Love or Money<br>*June Lang*<br>*Robert Kent* | You Can't Get Away With Murder (G) (D)<br>*Bogart* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night (G) (C)<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific (G) (D)<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Three Texas Steers (O)<br>*Three Mesquiteers* | Sorority House (G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | | | Confessions of a Nazi Spy (G) (D)<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley (G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>*Reginald Owen* | Man of Conquest (G) (D)<br>*Richard Dix* | Panama Lady<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>*Barthelmess* | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter* | Some Like It Hot<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | | Racketeers of the Range (O)<br>*O'Brien* | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | Missing Daughters<br>*Arlen*<br>*Marian Marsh* | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly* | | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | | The Dove<br>*Steffi Duna*<br>*Carrillo*<br>*Tim Holt* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | The Sun Never Sets<br>*Fairbanks, Jr.*<br>*Rathbone*<br>*Virginia Field* | Code of the Secret Service<br>*Reagan*<br>*Towne* |
| June 2 | | | Across the Plains<br>*Jack Randall* | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | | Five Came Back<br>*Chester Morris*<br>*Wendy Barrie* | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran* | |

## ear's Best Radio ducation Features icked by Institute

Columbus, O., May 3.—Tenth In- itute of Education by Radio, here, esterday awarded citations to meri- rious programs, and voted a recent ction in Norman Corwin's rds Without Music" program, on BS, as the year's best educational fering.

All told, eight CBS programs re- ived commendation, seven of NBC's d six of Mutual's.

CBS programs were: Special award H. V. Kaltenborn, "Hell On Ice" oduction in the Orson Welles "Play- use" series; "Steel Workers" on e "Americans at Work" series; Honk to the Moose," on "American chool of the Air"; housing program part of the "Frontiers of Democra- " series; Deems Taylor for his mmentaries in the New York Phil- rmonic broadcasts; "Bull Session," d "Jews in America," broadcast as feature of "Americans All, Im- igrants All" series.

NBC's citations were for the debate tween Secretary of Interior Harold kes and Publisher Frank Gannett on e "American Town Meeting" series; Adventures in Reading," "Alice in onderland," "Roving Professor," alter Damrosch's "Musical Appre- ation Hour" and "Robinson Crusoe."

Mutual programs which won favor clude Raymond Gram Swing's talk Czechoslovakia during the Munich isis; Wilberforce University An- versary program, "The Wheels Go ound," "So It Happened," "Pinoc- hio," "Backyard Adventures" and "I ike Music."

### *irst Telecast Made From NBC's Studio*

First program in NBC's regular udio television schedule got under ay last night, from 8 to 9 P.M., with ceivers in department stores, in the CA Building, and in an unknown mber of homes, tuned to the show. group of newspaper men saw the ogram on receivers in Radio City.

The opening television show was ced by Fred Waring's band, a tele- sion adaptation of the stage show, The Unexpected," with Marjorie larke and Earl Larrimore in the ading parts; a juggling act, and onald's Cousin Gus," a Disney Don- d Duck short.

### *uild Show Replacement*

Replacement series for the Screen ctors' Guild show during the sum- er months has virtually been set by oung & Rubicam, although the con- act has not been signed as yet. The placement series will comprise Erno apee's orchestra, Jane Froman, Jan erce and a 16-voice choir. The placement program is scheduled to rt June 11.

### *WHN Making Discs*

WHN has purchased the recording uipment of the Fairchild Co. and s started a new department for king electrical transcriptions. Re- rdings will be made by wire or off- e-air and the services of the depart- nt will be available to others in dition to the station's staff.

## ▶ *Radio Personals* ◀

H. V. KALTENBORN is to lecture before the War College in Washington Monday on the international situation. . . . Penny Wise, singer, has been signed by WOR for the "Take a Chance" series. . . . Carl Van Doren, just declared a Pulitzer prize winner, will be on Mutual's "Author, Author" show tomorrow night. . . . Doug Corrigan has been set for a guest appearance on "For Men Only" over NBC on Tuesday, through a deal set by Fred Norman of the Charles Allen office. . . . Margaret Cuthbert, director of women's programs for NBC, lectured at Columbia University last night on women's features. . . . O. B. Hanson, NBC vice-president and chief engineer, also is scheduled to lecture at Columbia May 10 on technical problems of television.

### *Levy Disposes of 394 Shares of CBS Stock*

Washington, May 3.—Disposition by Isaac D. Levy, Philadelphia, director, of 394 shares of Class A stock in Columbia Broadcasting System in March has been reported by the Securities and Exchange Commission.

The commission also reported that Leon Levy, Philadelphia, director, disposed of 672 shares of Class B stock.

Both directors reported that the dispositions were by gift. At the close of the month, Isaac D. Levy held 61,981 shares of Class A and 23,115 shares of Class B stock, and Leon Levy held 37,850 shares of Class A and 43,505 shares of Class B.

### *Met. Life Starts WMCA Libel Suit*

The Metropolitan Life Insurance Co. yesterday filed in the N. Y. Supreme Court a libel suit for $550,000 damages on 22 causes of action against the Knickerbocker Broadcasting Co., Inc., owner of WMCA.

Defendant is charged with having broadcast at various times during 1939 a program of Donald Besdine in which, among other things, the large insurance companies were accused of using high pressure tactics to sell too much insurance to the public, of overcharging on policies and of selling the wrong type of insurance.

### *New Radio Center in Albany to Open Soon*

Albany, May 3.—Albany's new Radio Center, the future home of WOKO and WABY, will be dedicated during the week of May 8.

The Van Benthuysen Building has been completely equipped, soundproofed and auditoriums installed, at a cost of about $100,000.

### *CBS Sets Dividend*

Board of directors of CBS yesterday declared a cash dividend of 35 cents per share on the Class A and Class B stock of $2.50 par value. The dividend is payable June 9 to stockholders of record May 26.

### *Little Carnegie Has Television Receiver*

**Little Carnegie Theatre yesterday became the first local motion picture house to install a television receiving set. The instrument is located in the dance room of the theatre and an attendant is present to demonstrate the set to the theatre patrons. The NBC television program schedule is providing the entertainment.**

## Delay Telecasting Rules, Wald Urges

Washington, May 3.—Television Committee of the Federal Communications Commission today heard a suggestion that it delay formulation of regular television standards because of two major obstacles in the present system of sight and sound broadcasting. The suggestion was made by Captain George Wald, U. S. Army officer and television inventor, and president of the Wald Radio Corp.

The hurdles which must be bridged before television can safely be put into nationwide use, according to Wald, are the horizontal limitations of present transmission systems, which afford reception over areas of but approximately 60 miles, and hazards, especially to the home, of high voltage used in present television receiver circuits.

Capt. Wald claims that his system of television removes both of these obstacles to television, following which he requested the two-year delay in formulation and adoption of television standards.

### *KFI Gets Space for Television Testing*

Hollywood, May 3. — Earle C. Anthony, Inc., owner and operator of KFI-KECA, NBC outlets here, has leased space for the construction of an experimental television station. The lease includes use of the two towers already installed on the roof of the building, one to be used for visual broadcasting, the other to be used for sound transmission.

The company has filed application for an experimental visual broadcasting station with the F.C.C. to operate on 1,000 watts on 42,000-56,000 kilocycles.

### *Zanuck Wins Ruling*

N. Y. Supreme Court Justice Alfred Frankenthaler refused to order Darryl Zanuck to appear in the Supreme Court for testimony before trial in reference to a suit brought by Stephen Tamas against 20th Century-Fox Film Corp., and advised Tamas to take depositions in Los Angeles. Plaintiff claims he wrote a scenario, "Stowaway," at defendant's request which the latter rejected but allegedly plagiarized.

### *Takes Religious Film*

Park Lane Pictures, through Harry Dixon, have signed with Victor Rico for the distribution rights to "The Miracle of Sister Beatrice," in the United States and Canada.

## FCC to Study Plea For Rebroadcasts

Washington, May 3.—The F.C.C. has designated Commissioners Case, Craven and Payne as a committee to preside at a hearing to determine whether the rules of the commission should be modified to permit the rebroadcasting of programs of international broadcast stations by regular stations which are operated on a non-commercial basis. Date for a hearing will be set shortly.

Action of the committee in calling a legislative hearing on this question is based on an earlier petition by Mayor LaGuardia to have the rules amended to permit a station such as New York City's municipal station, WNYC, to rebroadcast the programs of short-wave stations in the United States.

### *Mutual Adds Two California Stations*

Two new stations will be added to the Mutual-Don Lee network, effective May 10. The stations are KHSL, Chico, Cal., and KVCV, Redding, Cal. Former station operates on 1260 kilocycles, 250 watts, latter on 1200 kilocycles, 100 watts.

The number of Mutual stations with the new affiliations will total 113.

### *Boyer Award Sunday*

Award of a gold medal for merit to Charles Boyer by the British Federation of Actors and Authors, who recently voted the honor to the French player, will take place Sunday on Boyer's program, the "Hollywood Playhouse."

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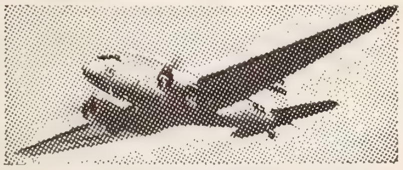

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COAST-TO-COAST

# Selznick in Bigger United Artists Role

(*Continued from page 1*)

Goldfarb, James Mulvey, Harry Kosiner, and J. J. Milstein.

District managers who will attend are Dave Prince, Haskell M. Masters, Ben Fish, Charles Stern, Jack Goldhar, Bert Stearn and Moe Streimer, special representative.

### Those Attending

The following branch managers and salesmen will attend:

New York, Clarence Eiseman, manager; Nat Beier, Leon Herman, Sam Rifkin, Sam Stern, Dave Burkan, Lawrence Brown, Edward Mullen. Chicago, Irving Schlank, manager; Ben Eisenberg, Frank Young, Jack E. Armgardt, Will Baker, Nat Nathanson, Boston, John J. Dervin, manager; George Hager, Joe Cronan, Herbert Schaefer, Nathan Ross. Philadelphia, Harry G. Bodkin, manager; Morton Magill, Joe Singer, Sol Krugman. Indianapolis, G. R. Frank, manager; Elmer V. Donnelly, Milton M. Krueger, E. R. Golden. Los Angeles, E. W. MacLean, manager; Guy S. Gunderson, Fred Gage, Kenneth R. MacKaig. Milwaukee, James S. Abrose, manager; Noe Provencher, Leon Weingarden.

Also, Minneapolis, Ralph S. Cramblet, manager; Frank Eisenberg, C. J. Chouinard, F. J. Kaiser, Everett Lovelett. New Haven, Lou C. Wechsler, manager; Lewis Ginsburg. New Orleans, C. E. Peppiatt, manager; Milton Dureau, Floyd P. Murphy. Omaha, D. V. McLucas, manager; J. E. Schlank, Ed Rostermundt, Harry Barker, William E. Barker. St. Louis, Ben J. Robins, manager; James Greig, Edward A. Ashkins, Ray J. Wylie. Salt Lake City, R. J. Cadman, manager; W. K. Miller, Joe Solomon, E. M. Gibson. San Francisco, D. J. McNerney, manager; Ollie H. Watson, Paul Bush, A. W. Hartford. Canada, Abe Feinstein, A. J. Jeffery, Charles S. Chaplin, Sam Glazer, Pete Myers, Dave Axler, Sam Nagle, Dave Griesdorf, Victor Rackow.

Also, Pittsburgh, Abe I. Weiner, manager; Harry Rees, William Scott, James H. Nash. Kansas City, William E. Truog, manager; John Graham, Guy Bradford, O. O. Flake. Dallas, Hugh Owen, manager; T. R. Barber, B. C. Gibson, Floyd A. Tones, Alfred J. Del Cambre. Seattle, Guy F. Navarre, manager; A. H. Kloepper, Jack O'Brien, Frank M. Higgins, John O'Loughlin. Washington, Fred A. Rohrs, manager; Mark N. Silver, Fred M. Sandy, Richard Harrity. Atlanta, T. L. Davis, manager; R. J. Barnes, Lynn Dunn, William Shiell, Jr.

Buffalo, Syd Lehman, manager; J. J. Jasper, Matt V. Sullivan, Charlotte, Jay Schrader, manager; Robert M. Boovy, Henry D. Hearn. Cincinnati—Harris Dudelson, manager; Irving Sochin, Wade H. Windsor, James Hendel. Cleveland, A. M. Goodman, manager; Lou Geiger, Norman Levin, Dick Miller. Denver, Al Hoffman, manager; Earl Collins, Fred Lind, Alex Singelow. Detroit, Morris Dudelson, manager; I. E. Weingarden, E. P. Pickler, Sydney J. Bowman.

## *Loew's Book 'Crisis'*

"Crisis," the Herbert Kline documentary film based on the recent Czechoslovakian situation, has been booked by Loew for its entire metropolitan circuit and will open at the Criterion in about two weeks. Mayer & Brustyn own the American distributing rights.

## *Patriotic Cartoon Made*

HOLLYWOOD, May 3.—Leon Schlesinger, producer of "Merrie Melody" and "Looney Tune" cartoons for Warners, has completed work on a patriotic one-reel "Merrie Melody" cartoon in color, titled "Old Glory."

## *Arnold in Pier Post*

Franc Arnold has been appointed promotion manager of the Atlantic City Steel Pier. Arnold was previously managing director of the Shubert, Newark, and previously managed houses in Baltimore, Philadelphia, Pittsburgh and Los Angeles for Warners and Loew's.

# *Film Companies Report Stock Dealings to SEC*

WASHINGTON, May 3.—Disposition of 25,000 optional debentures of Warner Brothers in March by Sam E. Morris, vice-president, reducing his holdings to 15,000, has been reported by the Securities and Exchange Commission in its semi-monthly summary of transactions of company officers and directors in the stocks of their corporations.

The report also showed that Jack L. Warner, vice-president, acquired 8,500 shares of Warners' common stock and 210 shares of preferred, bringing his holdings at the close of the month to 98,560 shares of common and 15,094 of preferred.

### Schenck Holdings Drop

A considerable number of film stock transactions were carried in the S.E.C. summary, including the disposition of 10,000 shares of 20th Century-Fox common by Joseph M. Schenck, reducing his holdings to 108,943 shares. Schenck also submitted a December report, showing the disposition of 500 shares by gift. The only other transaction in the company's securities was the acquisition of one share of common stock by Wilfred J. Eadie, New York, officer.

In Columbia Pictures, Jack Cohn, vice-president, reported acquisition of 13 shares of common stock and 771 common voting trust certificates, bringing his holdings to 555 shares of the former and 31,631 of the latter, and Abraham Schneider, New York, treasurer, reported acquisition of two certificates, bringing his holdings to 104.

In General Theatres, Edward C. Delafield, New York, director, disposed of his holdings of common stock with the sale of 100 shares, and in Paramount, John D. Hertz, New York, director, acquired 100 shares of common stock through Lehman Brothers.

Loew's, Inc., increased its interest in Loew's Boston Theatres by the acquisition of another 17 shares of common stock, of which it held 99,687 at the end of the month. In Loew's, Inc., J. Robert Rubin, vice-president, reduced his holdings of common stock to 33,475 shares by the disposition of 700 shares, and Leopold Friedman, secretary, acquired 200 shares of common for a total of 812 shares.

### Golden Gets 550 Shares

Edward A. Golden, New York, Monogram vice-president, reported acquisition of 550 shares of common stock by gift, of which he sold 50 shares; while George W. Weeks, vice-president, reported that in February he had disposed of his entire holding of 6,194 options for common stock.

In a report showing his interest when he became an officer and director in the companies, Charles D. Prutzman, New York, reported 300 common voting trust certificates of Universal Corp. but no securities of Universal Pictures. He became an officer in the former on March 8 and in the latter on March 15.

## *RKO Opens Service For Visitors to Fair*

RKO yesterday opened an information and lounge room on the seventh floor of the RKO Building for exhibitors visiting here during the World's Fair. The suite embraces four rooms, including an office for H. M. Richey, director of exhibitor relations, who is official greeter.

The staff includes Frances Smith and Adele Purcell, who will be on hand to provide information to visitors regarding the Fair, hotel reservations, etc.

Exhibitors who have registered already are: Mr. and Mrs. A. C. Gordon, Rialto and Rio theatres Boise, Idaho; Max Fogel, Webster, Rochester; William Tishkoff, Murray, Rochester; J. H. Eshelman, Huron, Huron, S. D.; Leon Rich, Prytania, New Orleans; Mitchell Lewis, Houston, Tex., and F. L. Clarke, Cozy, Hazen, Ark.

## *Enter Not Guilty Plea*

LA CROSSE, Wis., May 3.—Officials and employes of La Crosse Theatres Co. named in a warrant charging conspiracy to violate the law in conducting Bank Night at the Rivoli, have pleaded not guilty. No date has been set for a hearing.

## *Sunday Films Sought*

BERNE, N. C., May 3.—Two of the three local theatres have sought permission from the city to show films on Sunday. The request was referred to committee.

# 20th-Fox Europea Meet Opens Toda

PARIS, May 3.—European sales c vention of 20th Century-Fox op here tomorrow for three days. Atte ing from the United States are W ter J. Hutchinson, director of fore distrubution; Herman Wobber, g eral sales manager, and Truman Talley, Movietone producer. Hu son will present a message from Kent, president.

Benjamin Miggins, European m aging director, will preside. Am those attending are: W. B. Morg France; E. Balk, French sales m ager; G. Van Wynaerde, Belgiu M. J. Messeri, Spain; S. R. Parie Portugal; Louis Groen, Holla Harry Frandsen, Denmark; Mathiesen, Norway; T. Isdahl, Sweden.

Others present will be B. Biornst Finland; E. Schmidt, Germany; Joffe, Poland; M. Lurje, Latvia; Matzner, Hungary; D. Spitzer, Ju slavia; Armand Paucker, Ruman Luigi Giordano, Egypt; Russell M European Movietone News manag director: Robert Hartmann, Mo tone Central European manager, well as publicity heads and oth from the Continental district office

### Kent Sails May 20

Date of S. R. Kent's sailing for de Janiero has been changed fr May 15 to May 20. The president 20th Century-Fox will leave on *Brazil* to attend the company's So American sales convention. He is to return June 27.

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# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 45. NO. 87 NEW YORK, FRIDAY, MAY 5, 1939 TEN CENTS

# Watch Costs, Schenck Plea To Hollywood

## Cites Factors Which Cut Studios' Net Profits

By AL FINESTONE

Under present world-wide conditions the industry's watchword must be ngenuity, in production and elsewhere, in order to utilize to the fullst the industry's resources and to ffect needed economies without injurng the product, Joseph M. Schenck, 0th Century-Fox chairman of the board, said yesterday.

"More vigilance is needed in watchng costs," Schenck declared. "The tudios never try to waste money. But when things are prosperous there is a tendency to go along the line of east resistance."

Schenck pointed out that despite a higher gross in the first quarter of the

(Continued on page 5)

# British Tax Parley Pleases Film Heads

London, May 4.—D. E. Griffiths, president of the Kinematograph Renters' Society (distributors) and head of the joint K. R. S. and Cinematograph Exhibitors' Association deputation protesting proposed increases in film taxes, expressed satisfaction with yesterday's conversations with the chairman of the Board of Customs.

He declared his belief that the depuation had made a favorable impression, and it is expected a deputation will be received by Sir John Simon, Chancellor of the Exchequer. In the talks with the Customs Board head

(Continued on page 6)

### Registration for N. Y. World's Fair

**Readers planning to come to the World's Fair are invited to notify *Motion Picture Daily* in advance of or on their arrival, for registration. Thus those desirous of locating other industry visitors will be able to do so by calling at our office or phoning CIrcle 7-3100, asking for "World's Fair Bureau."**

**A coupon for convenient resistration is on Page 4.**

### King and Queen See 'Chips' at Embassy

**London, May 4. — King George VI and Queen Elizabeth of England last night saw "Goodbye, Mr. Chips," at an American Embassy party given by Joseph P. Kennedy, U. S. Ambassador to England.**

# Monogram to Have 54 Films In New Season

Chicago, May 4.—Monogram's 1939-'40 program will include 30 features, 16 westerns and eight reissues starring John Wayne, W. Ray Johnston, president, announced today at the opening of the annual convention at the Drake Hotel. The program represents an increase of four features over the 1938-'39 schedule.

Six features will be grouped as W. Ray Johnston Anniversary Specials, 12 as Box-Office Attractions and the remaining 12 as Showman's Success Series. The Anniversary Specials will commemorate Johnston's 25th year in the industry.

Heading the list of productions are "Rip Van Winkle," based on the Washington Irving story; "Queen of the Yukon," by Jack London; "Son

(Continued on page 5)

# UA Reveals New Program Monday At Coast Meeting

United Artists producers will present details of their new season production plans to the company's national sales convention which opens at the Ambassador, Los Angeles, on Monday.

The first day's session, which will include a discussion of sales and company policies by Murray Silverstone, United Artists chief executive, will deviate from usual trade procedure in that it will be open to the press.

Social events have been planned to mark the 20th anniversary of the company's founding. These will include a reception on Sunday to be given to the entire home office and field sales forces by Mary Pickford at Pickfair. Producers, directors, stars and others associated with the company's Hollywood activities will assist Miss Pickford.

A special dinner for conventioneers will be given Tuesday night at the

(Continued on page 6)

## Bill Asks National Daylight Savings

Washington, May 4.—Legislation under which daylight savings would be observed nationally has been introduced by Sen. Mathew M. Neely of West Virginia. No chance is seen for enactment of the bill this session largely because of opposition from various interests in a number of states.

# Hutchinson Warns Films Must Not Snub Television

By JACK BANNER

Motion picture companies cannot "break" television by obdurately refusing to provide the new industry with film. Neither can picture interests solve the problem of what effect television will have on the film business by dodging the new art, in the opinion of Thomas Hutchinson, NBC's television production manager.

In Hutchinson's estimation, the picture industry should, for its own welfare, enter into a short period of collaboration with television and weigh the lessons learned, before deciding to "cut" television "cold."

If picture companies are apprehensive about showing via television even old, outmoded feature films, there are millions of feet of uncut film in their vaults which could, with the aid of expert cutters, be utilized for television purposes, without much cost to the film interests, and possibly with tangible profit, because television is willing to pay "moderate" fees for such film, Hutchinson said.

In any event, feature motion pictures, despite opposition from major American companies, will most likely be offered over the air by late summer, because, Hutchinson said, foreign producers have offered their films to NBC, and most likely a number of deals will be closed before long.

Hutchinson revealed that all major picture companies clamped down on television just a number of weeks ago when NBC announced a definite television schedule. Prior to this announcement Universal, Columbia, RKO, M-G-M, Paramount and Pathe had made their films available to NBC, he said.

# Three Unions In Television Control Fight

## Jurisdictional Dispute Up At Meeting Today

By ED GREIF

A serious jurisdictional dispute among actors' unions has broken out for control of the television field.

Board meeting of the Associated Actors and Artistes of America, parent body which holds the American Federation of Labor charter, has been called for this afternoon to consider the problem. All unions involved have representation on the board, and a heated session is expected.

Unions involved are Actors' Equity, American Federation of Radio Artists and Screen Actors' Guild. Equity is generally conceded to have made the first claim because it included this field in the preamble to its constitution which was adopted March 17, 1930. A year and a half later, on Sept. 29, 1931, the Equity council issued instructions to its membership enjoining

(Continued on page 6)

# 16 Branches to Join Columbia Meeting

Columbia's home office executives, foreign representatives and New York exchange delegates will leave Sunday afternoon for Atlantic City, where the first of the company's three sales meetings will be held, starting Monday at the Ritz-Carlton.

The delegation will be headed by Jack Cohn, vice-president, and Abe Montague, general sales manager, and will include a score of others from the home office and foreign department reported earlier. They will travel in two special cars attached to the regular train arriving in Atlantic City at 6 P. M.

Representatives from the New York exchange include Nat Cohn, Irving Wormser, S. Trauner; salesmen J. Sokoloff, S. Schussel, M. Fraum, J. Wenisch, E. Helouis, S. Feinblum.

Delegations from the 16 branches which will be represented at the first meeting will be arriving in Atlantic City all day Sunday. The Atlanta, Charlotte, New Orleans, Oklahoma City, Cincinnati, Cleveland, Pittsburgh, Boston and Buffalo delegations will arrive Sunday morning. Delegates from Dallas, Memphis, Washington, Albany, New Haven and Philadelphia will arrive during the afternoon and evening.

# Metro Lists Stories, Cast For Season

Details of M-G-M's new season program supplementary to that made known at the sales convention in March was disclosed by the company yesterday. The information includes new story properties, cast additions and the signing of stars for specified pictures. M-G-M will have 44 to 52 features.

Eddie Cantor a new star addition, will make his M-G-M debut in "Banjo Eyes," comedy drama with music. Fred Astaire, also newly signed, will co-star with Eleanor Powell in "Broadway Melody of 1940." Edward G. Robinson will have the lead in "Blackmail." James Stewart has been elevated to stardom.

Norma Shearer will be starred in "Pride and Prejudice," the play by Helen Jerome from the Jane Austen novel. George Cukor is now directing her in "The Women."

### "Smilin' Thru" Musical

Jeanette MacDonald will star in a musical version of "Smilin' Thru," which Robert Z. Leonard will direct. Miss MacDonald will be co-starred with Nelson Eddy in "Silent Knight." They will be seen together also in "Lover Come Back to Me," and Eddy will appear in "Balalaika" with Ilona Massey.

Joan Crawford will be starred in "Park Avenue Model." Her schedule includes also "House of Glass," "A Lady Comes to Town" and "The Women."

Greer Garson, who appears in "Goodbye, Mr. Chips," will be starred in "Susan and God," Rachel Crothers' successful play.

### Role for Spencer Tracy

Spencer Tracy will be starred in "Witch of the Wilderness," to be directed by King Vidor from the novel by Desmond Holdridge.

Robert Donat will have the lead in "Ruined City," based on the novel, "Kindling," by Nevil Shute.

"On Borrowed Time" will feature Lionel Barrymore, Sir Cedric Hardwicke and Bob Watson, with Harold Bucquet directing.

Robert Young has been added to the cast of "Guns and Fiddles," featuring also Robert Taylor, Hedy Lamarr and Miliza Korjus.

Cast of "The Wizard of Oz," which is nearing completion, will feature Judy Garland, Frank Morgan, Ray Bolger and Jack Haley.

### Other Stories Listed

Myrna Loy and Spencer Tracy will be co-starred in "Sea of Grass," novel by Conrad Richter. In "Life Story of Thomas Edison," Tracy and Mickey Rooney will portray Edison as man and boy.

Additional story properties include "May Flavin," novel by Myron Brinig; "The Yearling," Pulitzer prize novel by Marjorie Kinnan Rawlings, to be directed by Victor Fleming, and "Wings Over the Desert," aviation melodrama by Harold Buckley.

Other new properties from which 1939-'40 releases will be drawn are: "Kim" and "Soldiers Three," Rudyard Kipling novels; "I Had a Comrade," by Viscount Castleross; "These Glamour Girls," *Cosmopolitan* Magazine story by Jane Hall and Marion Parsonnet.

Also, "Shop Around the Corner," with Margaret Sullavan, James Stewart and Frank Morgan, to be directed by Ernst Lubitsch from the Nicholaus Laszlo play; "Nickel Show," original by Vera Caspary; "The Rosary," from stage play by Edward E. Rose; "Great Laughter," by Fannie Hurst, and "War Eagles."

"American Newlyweds" will introduce a new series, dealing with a typical young American couple. There are also the "Hardy Family" and "Dr. Kildare" series.

"Northwest Passage," with Spencer Tracy and Robert Taylor, will resume production on location this month, King Vidor directing.

Busby Berkeley and Normand McLeod have been signed to directorial contracts.

# ◂ *Purely Personal* ▸

GEORGE J. SCHAEFER, RKO head, is scheduled to leave Hollywood this weekend for New York, arriving here Monday or Tuesday.

•

RUDOLPH KNOEPFLE, Republic Cincinnati salesman, has returned to work after several months in the Miami Valley Hospital, Dayton, O., recovering from a fractured jaw sustained in an auto crash.

•

JOE DI PESA, Loew's publicity man in Boston, is ill. LOU BROWN, Poli circuit press agent from Bridgeport, is subbing for DI PESA, who is suffering from a nervous disorder.

•

PAT CASEY, producers' labor contact, plans to remain in New York for the employment meeting with the American Federation of Musicians, May 18.

•

PAUL KRIEGER, Universal Cincinnati branch manager, has joined his wife and son in Florida, where the latter is recovering from an appendicitis operation.

•

WARREN WILLIAM left the coast by plane Wednesday night to join the "Union Pacific" special train in New York. He will continue with the train.

•

LESSER SAMUELS, Gaumont British writer for several years, has returned to the United States. He will arrive in Hollywood May 15.

•

SAM SHAIN, editor of MOTION PICTURE DAILY, has left for Hollywood.

•

J. CHEEVER COWDIN, Universal board chairman, is expected back from a combined business and vacation trip to the coast in about a week.

•

CONGRESSMAN JOHN KETCHAM of Michigan visited H. M. RICHEY at the RKO World's Fair headquarters yesterday.

•

BEN PICKETT replaced MATT REILLY as manager of the Palace, Providence, when the latter was taken ill.

•

C. C. PERRY, Detroit exhibitor and Variety Club leader, left yesterday after product conferences here.

•

JOAN BENNETT, who came east for an ORSON WELLES broadcast, returns to the coast today by plane.

•

JIM DARBY has left the M & P Beacon in Boston to manage the Norwalk in Norwalk, Conn.

•

ED MCBRIDE, Loew's State manager in Providence, is vacationing in Buffalo, his home town.

•

ALBERT MALTZ' short story, "The Happiest Man on Earth," has been bought by M-G-M.

•

FAY BAINTER arrived in New York yesterday after a six-week cruise.

•

SAL DEIMANNO, from Loew's Boston office, was in town yesterday.

•

HERMAN BLUM of Baltimore, national Allied official, has been visiting here.

# *The Newsreel Parade*

*No outstanding news events feature the new issues. The Royal Family in England and incidents at the New York and Frisco Fairs are covered. Reels and their contents follow:*

MOVIETONE NEWS, No. 681—Italy tests desert defense. New air depot in California. World's Fair. Royal family in England. Budge wins sport trophy. Aviation fashions. Lew Lehr. Benefit baseball game. Lou Gehrig benched. Boat regatta. Horse racing.

NEWS OF THE DAY, No. 266—Netherlands army in training. Goering visits Africa. Lionel Barrymore celebrates birthday. World's Fair. Mrs. Roosevelt displays new apparel. English Royalty discusses coming visit. Swedish king in Paris. Boat races.

PARAMOUNT NEWS, No. 79—Italian army maneuvers in Tripoli. Observe railroad anniversary. Crosley car on speedway. Royal family poses for cameras. New wardrobe for Mrs. Roosevelt. Cubs vs. White Sox. Babe Ruth instructs players. Gehrig ends streak. Japan Day at Frisco Fair. Pavilions dedicated at New York Fair. Amusement area at Fair opened.

RKO PATHE NEWS, No. 83—Chamber of Commerce meets. Surveyors in Cascades. Dewey awarded medal. Debut of low-priced car. Monkey show. Lamp exhibit at coast exposition. Columbia vs. Navy crew race.

UNIVERSAL NEWSREEL, No. 768—Apple blossom festival. Royalty plans visit. Norway's prince visits destroyers. May Day in Mexico. New road in China. Mercury lamp in California. Crosley car introduced. Japs parade in California. Gehrig streak ends. Babe Ruth plays softball. Benefit baseball game. Amusement center at Fair opens.

## *'Only Angels' Opens May 11 at Music Ha*

Columbia's "Only Angels H Wings" will have its world premi at the Music Hall May 11. "Rose Washington Square" opens today the Roxy. "Confessions of a N Spy" grossed an estimated $47,000 its first week at the Strand and it held over there.

"Wuthering Heights" grosse estimated $28,000 at the Rivoli in third week to send the estimat three-week total over the $100,0 mark. At the Roxy, "The Return the Cisco Kid" drew an estimat $28,000. Second week of "Dark V tory" at the Music Hall was good f an estimated $75,000. "Man of Co quest" grossed an estimated $20,000 the Capitol. "Pygmalion," in its 2 week at the Astor, drew an estimat $7,200.

"Hotel Imperial" goes into the C terion Wednesday. "Crime in t Maginot Line" opens at the 55th Playhouse tomorrow.

## *'Lincoln' Premiere On Mutual Networ*

Arrangements for broadcasting n tionally the world premiere of "You Mr. Lincoln," which which will held in Springfield, Ill., on the nig of Memorial Day, were complet yesterday by 20th Century-Fox a Mutual Broadcasting System.

The program will be broadca from 10 to 10:30 P. M., E.D.S. over 41 stations of Mutual's natio network. A feature of the broadca will be the participation of Mari Anderson, Negro contralto.

## *Plagiarism Suit Kille*

LOS ANGELES, May 4.—Andreas Michael's $1,000,000 plagiarism s against 20th Century-Fox, Eddie Ca tor and others involving "Ali Ba Goes to Town" was dismissed in S perior Court today. Judge Thom Gould said he saw no similarity tween the story Michael submitt and the film.

## *Reissue 'Tumbleweeds*

Astor Pictures Corp. is releasing reissue of "Tumbleweeds," in whi William S. Hart was starred.

MOTION PICTURE
DAILY

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# Producers Assail SWG 'Insincerity'

Hollywood, May 4.—Charges of insincerity of producers in negotiating with the Screen Writers' Guild over collective bargaining agreement were assailed today with publication of a letter by Mendel Silberberg, producers' attorney, to Charles Brackett, SWG president.

Citing Brackett's letter to the producers in which the Guild repeated its adamant stand on three minimum proposals, Silberberg said: "You fail to indicate these proposals were discussed at great length by the two committees and that the phraseology covering these matters (Guild shop, terms of contract and layoff material was the result of that discussion and agreement by the two committees that it would be submitted in this form to both the Guild and producers."

The Guild is seeking to reopen the NLRB case. Its directors may meet Monday.

## *Theatre Changes*

### ADDS MILWAUKEE HOUSE

Milwaukee, May 4.—Fox has increased its string of local houses to 23 with the addition of the Ritz, north side neighborhood theatre formerly operated by Michael Brumm.

N. & S. Theatres, Inc., have taken over the Violet, another neighborhood. The firm is headed by Herbert J. Neuser and Oliver Schmidt. Merrill Devine, former operator of the Violet, is retiring from the business here.

### FORM THEATRE FIRM

Kansas City, May 4. — W. D. Fulton and others have formed the 3838 Woodland Corp. to operate the Colonial, new suburban house which replaced the one destroyed by fire here a year ago. E. E. Webber, who had been running the theatre, will continue in charge.

### GOUCHER SELLS BELTON

Kansas City, May 4. — Verne Goucher has sold the Belton, Belton, Mo., to M. B. Presley, who has the New Globe at Savannah, Mo. Presley has changed the name to the Dixie, and placed J. B. Presley, his son, in charge.

### GEORGIA HOUSE RAZED

Waynesboro, Ga., May 4.—Grand Theatre here, owned by A. L. Sheppard, was destroyed by fire, with a loss estimated at $20,000.

### THREE FIRMS FORMED

Albany, May 4. — Three new companies chartered here include American Saga Productions, Inc., by Mary Prisco, E. J. Feinberg and Florence Pecoraro; Ridgeway Attractions, Inc., by Dorothy Olnev, Julian Olney and A. K. Bowes, and Sholum Secunda Radio Artists, Inc., by Sholum Secunda, Norman Furman and Mildred Blumberg.

### BUILD IN LONG ISLAND

A new house with 600 seats is under construction at Queens Plaza and Crescent Ave., Long Island City. It will be opened about Sept. 1 by Frank Moscato.

## *Hollywood Preview*

### *"Captain Fury"*

*(U. A.-Roach)*

Hollywood, May 4.—"Captain Fury" furnishes showmen with plenty to say about it. Enough to say about any picture, to get the customers in to see it, is embodied in the four-ply declaration that its uppermost principals are Brian Aherne, fresh from his triumph in "Juarez"; Victor McLaglen, out of "Gunga Din"; John Carradine, whose "Stagecoach" is still rolling along to big grosses, and Paul Lukas, unforgettable in "Confessions of a Nazi Spy." When an exhibitor adds that this is the first picture directed by Hal Roach in half a dozen years and that his daughter, Margaret, is among those present in the cast, he may be said to have told his public plenty of reasons for dropping in to see it, but he can proceed from that point, if he chooses, to mention that the story is the Australian version of the Robin Hood legend complete with kangaroos and all the required symbols of veracity.

These are not, however, the only players to talk about. George Zucco turns in one of his best performances as the villainous chief of a villainous crew including dour Douglas Dumbrille. June Lang and Virginia Field ornament the distaff side. The supporting cast is large and competent.

The story and screenplay are by Grover Jones, Jack Jevne and William DeMille. The film opens with the arrival of a convict ship in Melbourne about a century ago and progresses swiftly through highly dramatic episodes which place Aherne, an escaped convict, in leadership of a formerly felonious crew enlisted now in the defense of poor settlers persecuted by a rich and ruthless landowner. The action is violent, colorful and always melodramatic, the ending happy.

Running time, 90 minutes. "G."* Roscoe Williams

---

*"G" denotes general classification.*

## *N. D. Court Test Is Formally Dismissed*

Fargo, N. D., May 4.—Formal order dismissing the court test of the legality of North Dakota's theatre divorcement law has been entered in the Federal Court here. After a three-judge court had upheld the legality of the 1937 legislation, the U. S. Supreme Court sent down a mandate dismissing an appeal because the question became moot when the 1939 legislature repealed the act.

## *Game Insurance in Wis. Brings Arrest*

Madison, Wis., May 4.—Sol Epstein, local news dealer, arrested on charges of promoting a lottery in connection with the operation of the Madison Banknite Service Co., has been released on $100 bond.

For 15 cents a week, participants in the Bank Night insurance service were assured of receiving the award at a local theatre in the event the name was drawn and winner was not present.

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# $85,000 for Navy's Film Shows Vote

Washington, May 4.—Usual a propriation of $85,000 for motion pi ture service for the new fiscal yea is embodied in the naval supply bil reported today to the House by i appropriation committee.

The appropriation was appro after Rear Admiral James O. Ricl ardson, chief of the navigation b reau, testified at hearings that filn are essential in the development ar maintenance of high morale amor men in the navy.

"Film shows at station houses or the open air aboard ships have b come regular events in naval life," l said. "The navigation bureau leas two prints of 300 late programs ea year. These are circulated to statio and the fleet as quickly as possible

Total cost of film service is $31 000 annually, the difference bei made up from profits of ships' stor the house committee was informed.

## *Personnel Moves*

### MANAGERS SHIFTED

Toronto, May 4.—K. P. Hunt assistant manager of the Colle Kitchener, Ont., has been promoted manager of the Centre, London, Or succeeding L. C. Mills. The latt was transferred to the Elgin at C tawa following the resignation Joseph Paul to become manager of t Community, recently opened at W land, Ont.

### OMAHA SALES CHANGES

Omaha, May 4.—Three chan have been made in sales forces he John Morphet, St. Louis, and Ed Verichetto, Chicago, have joined t Columbia sales department. Rob B. Berke of Detroit, has replac Carl Reese, who resigned to join F public, at 20th Century-Fox.

### MOVE TRI-STATES MEN

Omaha, May 4.—Bill Trites h been transferred from the Rivoli Hastings, Neb., to the Orpheum h as treasurer. He will succeed Ja Kolbo, who has been named assist manager of the Omaha. All are T States Theatre Corp. houses.

### ROSS SHIFTS CORRADINI

Cincinnati, May 4.—C. R. C radini, manager of the local R Federal Service branch, has b transferred to a similar post at B ton. Hank Gleiss has come h from Washington to take charge the local office.

### BOYD QUITS RKO

Cincinnat, May 4. — Cliff Bo for many years manager of the R Shubert and other circuit houses h has resigned to accept an offer book stage talent. His successor not yet been appointed.

### SICHEL PROMOTED

Albany, May 4.—Elmer Sichel, sales manager at the 20th Centu Fox exchange here, has been promo to assistant booker, Scott Lester s ceeding him.

## Ionogram Plans 54-Film Schedule For New Season

(Continued from page 1)

the Navy," by Grover Jones and ue Boardman; "His Father's Son," Matt Taylor; "Oliver Twist," n version of the Charles Dickens y; "Under Northern Lights," inired by the music and lyrics of arles Wakefield Cadman, and reckles Comes Home," by Jeantte Stratton-Porter.

Boris Karloff will appear in four w "Mr. Wong" films, "Mr. Wong anishes," "Mr. Wong in Havana," Mr. Wong's Chinatown Squad" and Mr. Wong in New York."

John Trent will be seen in four ailspin Tommy" roles, "Aces of the ir," "Transcontinental Plane," "Danr Flight" and "Sky Patrol."

Marcia Mae Jones and Jackie Mon will appear in four films, "Tomy," "Hoosier Schooldays," "Haunted ouse" and "Kid Reporters."

### Franchise Holders Meet

Frankie Darro will be cast in four atures, "Arm of the Law," "East ide Kid," "That Gang of Mine" and Boys of the City."

Tex Ritter and Jack Randall will ay in eight westerns each. Two of e Randall westerns will be "The rairie" and "The Pioneers," both by ames Fenimore Cooper.

The convention started this afteroon with a reception and cocktail arty at exchange headquarters here, here the convention delegates were e guests of Henri Elman. In the vening a franchise holders' meeting d advisory committee dinner were eld.

Tomorrow Mayor Edward J. Kelly ill make the opening address, after n introduction by Johnston. This will e followed by speeches by Ed Kuyendall, president of the M. P. T. . A., and Jack Kirsch, president of llied T. O. of Illinois. J. S. Harngton will call the roll and addresses y Elman, George W. Weeks, viceresident in charge of sales, Scott R. unlap, vice-president in charge of roduction, will follow.

In the afternoon, Louis S. Lifton, irector of advertising and publicity; loyd Lind, William B. Jaffe, Johnton, John Mangham, John Franconi, red Mathis and Edward A. Golden, ice-president in charge of distribuon, will address the session. Marn Spellman, Monogram's juvenile tar, will be introduced to the meeting y Jaffe.

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## ammack Named Phil Reisman Aide

Phil Reisman, RKO foreign sales anager, yesterday announced the prootion of Ben Cammack, general anager of the Latin American maret, to assistant foreign sales manger. Nat Liebeskind, manager of the rgentina office, has been given harge of Brazil, Peru and Chile in ddition to Argentina.

Gus Schaefer, formerly export manger for Universal, has been placed n charge of Cuba, Mexico, Central merica and northern countries of outh America. Leon Britton, manger for the China office, has been romoted and placed in charge of the ar Eastern and Middle Eastern marets.

---

## *Schenck Stresses Need For Keeping Costs Down*

(Continued from page 1)

present fiscal year, the 20th Century-Fox net was less due to increased costs, including Social Security and other taxes. Fluctuation of foreign currency and exchange also was a factor.

"If business conditions and expenses were normal, our net probably would have been 100 per cent more than it was," he said. The gross for the first month of the second quarter was higher than the corresponding month last year."

### Doubts European War

Twentieth Century-Fox, he said, is writing off all possible losses in order to be in sound financial condition in the event of a European war. However, Schenck's information from influential sources in Europe is that no war is likely this year. "The war speculation has been a deterrent to all business, and as soon as it is settled business may be expected to boom," he said.

This is Schenck's first visit in New York in seven months. He had planned to come east for some time but was detained on the coast by labor conferences in which he has been active as president of the Motion Picture Producers' Association and chairman of the producers' labor committee.

### Labor Pact Revisions Delayed

Negotiations on revisions of the studios' labor basic agreement, which are due May 15, will not start "until we know who is the authorized bargaining agent," Schenck said. "Until we know that we cannot make a deal."

He referred to the turmoil in the I. A. T. S. E. ranks on the coast, and said that it is a jurisdictional dispute not involving the studios, and that the Alliance has expressed willingness to return autonomy to the affected locals but has accused some of the leaders of disloyalty.

The producers have agreed with the Screen Writers' and Directors' guilds, and when Schenck left the coast on Monday contracts with these groups were being drafted, he said.

### Interested in Television

Regarding television, Schenck pointed out that 20th Century-Fox is interested in the development through Baird Television, a subsidiary of Gaumont British, because of its participation in the G. B. holding company. S. R. Kent, president of 20th Century-Fox, has had some discussions with Baird representatives. The Roxy, a 20th Century-Fox house, has been mentioned as a possible theatre where Baird may make an installation.

Asked if there have been recent negotiations regarding purchase by 20th Century-Fox of an additional interest in National Theatres from the Chase National Bank, Schenck said "this is no time to buy."

"All studios are working very hard to turn out good pictures," he reported. Among films from his own studio, Schenck mentioned "Rose of Washington Square" and said the principals, Alice Faye, Tyrone Power and Al Jolson, turn in top-notch performances.

Schenck said that before Warners' "Confessions of a Nazi Spy" was shown, Hollywood generally feared that the film might be injurious to the industry, but that upon attending the premiere he was gratified to learn that the picture is in good taste and that it probably will have a salutary effect. "It paints conditions as they are and you feel it is authentic," he added.

### Controversial Subjects

"Our studio has no plans for such a picture because we do not believe in following any other company in the selection of subjects," said Schenck. "We deal with topical themes, if we have a subject that lends itself to screen treatment. We produce subjects of a controversial nature, and no one can object as long as they are presented truthfully and without bias or propaganda.

"But we do not propose to deal with any subject that is objectionable to a foreign government and therefore might be objectionable to our government as well."

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## *To Handle French Film*

French Cinema Center, Inc., has acquired U.S. distribution rights to Marcel Pagnol's latest film, "Regain," to be released here as "Harvest."

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## Kansas City Host To Metro Officials

KANSAS CITY, May 4. — Five M-G-M exchanges will be represented here Saturday and Sunday at the third of a series of meetings for office managers, bookers and checking supervisors at the Muehlebach Hotel. Home office executives will attend.

Delegates include: Denver—Michael Cramer, office manager; James B. Micheletti, Arthur R. Mitchell. Des Moines—Howard T. Dunn, office manager; Frank H. Gaskel Fred D. Armington. Omaha—Voight B. Trent, office manager; Hazel Andersen, Howard E. Clark. Kansas City—Herbert W. Genter, office manager; Leon S. Abraham, Kenneth Gilmore, Albert L. Adler, Walter W. Labader, Woodrow W. Sherrill. St. Louis—Earl Hendon, office manager; Clarence R. Ritzler, French S. Miller.

The home office group will include Alan F. Cummings, in charge of branch operations, who will preside; Charles K. Stern, Joel Bezahler, William Brenner, Parke D. Agnew and Mike Simons, editor of the *Distributor*. Local arrangements were made by Harris P. Wolfberg, district manager; Frank Hensler, branch manager, and Claud Morris, exploitation representative.

---

## *Roxy Sets Dividend*

Directors of Roxy Theaters, Inc., yesterday declared a quarterly dividend of 37½ cents a share on the outstanding preferred stock, payable June 1 to stockholders of record May 18, 1939.

Hollywood's Most Exciting Preview!
HOWARD HAWKS' PRODUCTION
Starring
CARY GRANT ★ JEAN ARTHUR
ONLY ANGELS HAVE WINGS
Story and Direction by HOWARD HAWKS
A COLUMBIA PICTURE

# UA Reveals Sales Program at Coast Sessions Monday

*(Continued from page 1)*

Earl Carroll theatre restaurant. Wednesday night, the entire delegation will leave for San Francisco where they will have all day Thursday to visit the World's Fair on Treasure Island. The special convention train will start east from San Francisco on Thursday night.

Silverstone will open the convention Monday. The meeting will be addressed also by Harry Gold, eastern general sales manager; Jack Schlaifer, western general sales manager; Arthur W. Kelly and Harry D. Buckley, vice-presidents, and E. T. Carr, joint managing director for England.

Screenings of "Four Feathers" and "The Man in the Iron Mask" will be held between business sessions. On Tuesday, Lynn Farnol, director of advertising and publicity, and Monroe Greenthal, exploitation director, will describe the company's plans for new season advertising and exploitation.

Individual sales conferences will be held by Gold and Schlaifer with their territorial representatives on Tuesday. District and branch managers' meetings will be held on Wesdnesday, final day of the convention.

### Loretta Young Signed

HOLLYWOOD, May 4.—Walter Wanger has signed Loretta Young as the first of three stars for "Whose Wife?" which will be his first film for the new season for U. A. release. Tay Garnett will direct.

# British Tax Talks Please Trade Men

*(Continued from page 1)*

yesterday Griffiths argued statistically against the planned increases, pointing out the burden on distributors, in view of the inability to pass on the tax. Newsreel representatives were heard at the Customs Board today.

The finance bill continues in Commons for several weeks more, through various formalities, and the introduction of amendments is permissible during that time. The latest estimate, based on last year's figures, is that the tax payable by American interests would be $4,000,000 exclusive of import duties and administration expenses.

## *Regional Allied Units To Meet in New York*

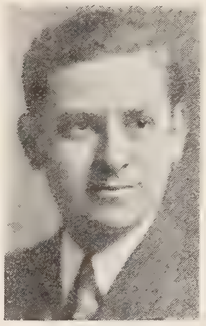
Francis C. Lydon of Boston, Allied States vice-president for the eastern area, has called a regional conference of Allied units in conjunction with the New York organization's annual convention and exposition, May 23 to 25 at the Astor.

Officers, directors and members of these seven units have been called to assemble here: Independent Exhibitors of New England, A.T.O. of Connecticut, A.T.O. of New Jersey, A.T.O. of Eastern Pennsylvania, M.P.T.O. of Western Pennsylvania, M.P.T.O. of Maryland and Allied of Washington, D. C.

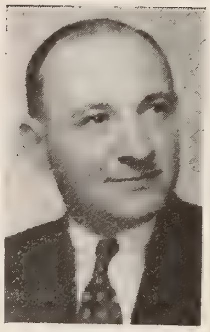
In addition, national Allied officers and heads of other units are expected to attend.

# *Executives at U.A. Sales Sessions*

**M. SILVERSTONE**
Chief Operating
Executive



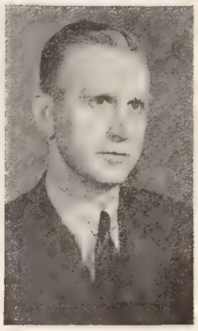
**HARRY GOLD**
Eastern Sales
Manager



**L. J. SCHLAIFER**
Western Sales
Manager

**HARRY BUCKLEY**
Vice-President
of U. A.

**ARTHUR KELLY**
Vice-President
Foreign



**LYNN FARNOL**
Head of Adv. and
Publicity

**PAUL LAZARUS**
U. A. Contract
Manager

**M. GREENTHAL**
Exploitation
Manager

## *Train Today Brings 'Union Pacific' Stars*

"Union Pacific" special is due to arrive in Jersey City at 4:45 P.M. today in preparation for the opening in the Paramount Wednesday. The train will be on exhibition earlier at West Point where the party will be greeted by officers of the U. S. Military Academy. Newspapermen and cameramen will leave by automobile for West Point this morning and return with the group by train.

At 8:30 P.M., a broadcast over WMCA will take place from the Paramount lobby, with a public auction of oranges brought from California by the train. The party is headed by William H. Pine, associate producer, and Arthur Rosson, location director. Cecil B. DeMille, producer-director of "Union Pacific," arrived Sunday.

Included in the train party are Lynne Overman, Brian Donlevy, Patricia Morison, William Henry, Evelyn Venable, Robert Preston, Anthony Quinn, Sheila Darcy, Judith King, Luana Walters and Evelyn Luckey. A "Union Pacific" costume ball will be held at the National Arts Club tomorrow. The train will return west over a different route.

## *Frisz to Cooperative*

CINCINNATI, May 4.—Ray Frisz, formerly booker and film buyer for Schine's Ohio circuit, is joining Cooperative Theatres, for which Harry Bugie, former Warner salesman, is opening an office here in connection with Milton Mooney, of Cleveland, for collective buying of product.

## *Patriotic Shorts Win Dies' Praise*

**Hollywood, May 4.—Patriotic short films being made by Warners have the praise of Congressman Martin Dies, chairman of the Congressional committee investigating un-American activities. He was guest at a luncheon given in his honor at Warners' studio at Burbank today. He said the films aroused public support for his committee.**

## *Ask Postponement In Government Suit*

Attorneys for the majors will ask Federal Judge William Bondy for a week's adjournment of the Government's application in the latter's anti-trust suit for an order dispensing with the necessity of naming witnesses to alleged coercion on the part of the majors, it was revealed yesterday. Postponement of the hearing is sought to afford the majors an opportunity of preparing and filing briefs on the question, it is understood.

The majors also may seek the adjournment to prepare a cross motion for an order from Judge Bondy directing the Government to file a more specific bill of particulars in its suit.

## *Theatre Firm Formed*

DOVER, Del., May 4.—Griffith Theatres, Inc., has been formed here to conduct theatres, with a capital of 1,000 shares, no par value.

## *Three Unions Fight For Television Ru*

*(Continued from page 1)*

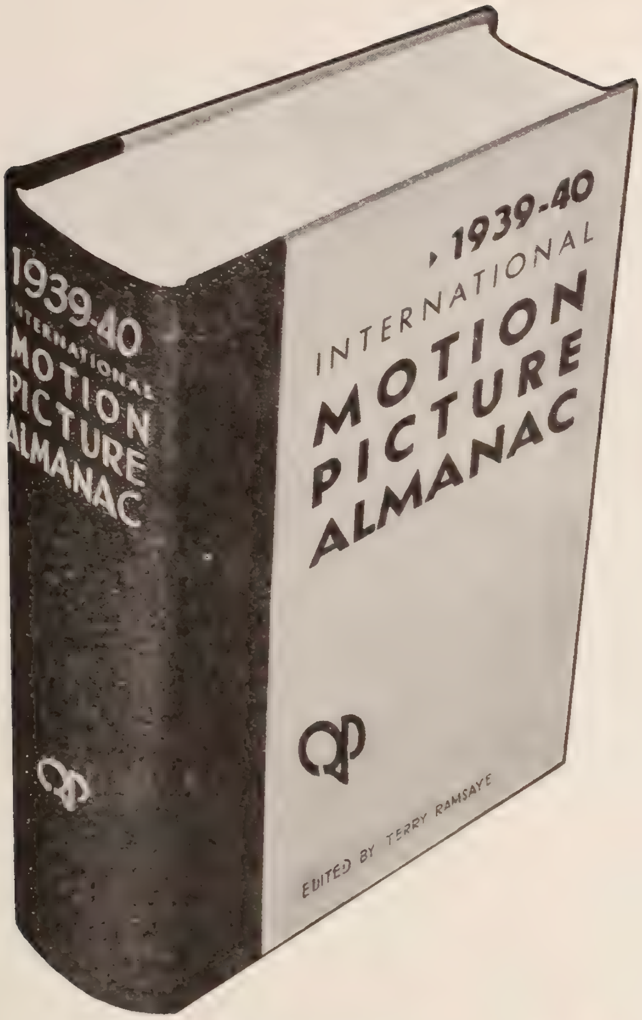
them from accepting television wo
without consent of Equity.

Both moves were acquiesced in
the A.A.A.A. The opposition
Equity's claim, however, is based
the fact that neither S.A.G. n
A.F.R.A. was organized at that tin
The radio union claims that the wo
of artists before the microphone
essentially the same as before t
iconoscope. This is particularly tr
of singers and commentators.

Screen actors point out that fil
for television are made in the sar
manner as other films and that the u
to which such films are put cann
determine jurisdiction. N.B.C. offic
reveal that they have been swamp
with applications from both profe
sional and amateur actors. The mai
continue to bring such applicatio
daily. Up to the present time, the a
erage pay has been between $40 ai
$50 per performance, with $100 as tl
top figure and $25 as the lowest. Wi
regular telecasts now on the schedul
however, action will shortly be tak
to hire actors by the week.

## *RKO Stock Plea*

Norman C. Norman will apply
the N. Y. Supreme Court today f
leave to intervene in the stockholder
suit against RCA, its officers and d
rectors, General Electric Co., Amer
can Telephone & Telegraph Co. ar
Westinghouse Mfg. Co., as holder
500 shares of common stock. Twel
plaintiffs have been consolidated in
one action by Justice Aaron J. Lev
Suit is for waste and mismanagemen



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Have you reserved your copy of the 1939-40 International Motion Picture Almanac that is now in preparation? We suggest that you order yours now because each year the demand is much greater than the supply.

The International Motion Picture Almanac is the annual product of the world-wide staff of the Quigley Publications, focusing between its covers the up-to-the-minute statistical record of the entire industry. Year after year the Almanac serves the world's showmen through its voluminous compilation of significant facts and figures,—vigilantly reflecting the ever-changing panorama of the business.

To the producer, distributor and exhibitor and to all those whose activities impinge upon the entertainment industry, the International Motion Picture Almanac is the supreme reference authority, conveniently arranged and indexed for instant dependable use.

The 1939-40 edition will contain over 1200 pages and will represent the most ambitious effort since the inauguration of the first Almanac, more than a decade ago.

**ORDER TO-DAY . . . . $3.00 PLUS POSTAGE**

# MOTION PICTURE ALMANAC

OCKEFELLER CENTER, NEW YORK

# Ascap Directors Affirm Control of Television Music

Ascap yesterday affirmed its control of television rights to music in its catalogue on behalf of its members. Action was taken by the organization's board of directors, a spokesman for the society stated, in order that there would be no misunderstanding as to where control of the rights rests.

The board's move, it was said, is tantamount to a declaration that the use of Ascap music in television broadcasts is regarded by the society as a separate public performance for profit which is not covered by the broadcasters' radio license fees. Inauguration of a separate fee for the television rights will be discussed by the society in the near future. However, it was stated that the fees may not be put into force for some time after they have been worked out in the event any doubt exists at that time that television's use of music is anything but commercial.

The board's action is understood to have followed a report and recommendation by Louis D. Frohlich, of counsel, to Ascap, which held that with inauguration of the sale of receiving sets television entered the commercial stage and was engaged in giving "public performances for profit."

Board elected George Meyers of the Ascap staff secretary of the organization, filling the vacancy created by the death of Joseph Young several weeks ago.

## *AFRA Deal Signed By Crosley's Units*

CINCINNATI, May 4.—A union wage contract, effective May 14, and continuing until Oct. 31, 1940, covering approximately 70 actors, singers, announcers, news and continuity writers of WLW and WSAI, has been signed.

It was negotiated by James D. Shouse, vice-president of the Crosley Corp., in charge of broadcasting. Mrs. Emily Holt, national secretary; Maj. James P. Holmes, field secretary, and local officers of the American Federation of Radio Actors.

## *Douglas in Air Debate*

Melvyn Douglas, M-G-M player, and Mrs. Gladys Murphy Graham of the University of California and a member of the Institute of Propaganda Analysis, will take the affirmative in a debate May 11 over the NBC-Blue at 8 P.M. on "Can Women Resist Propaganda?" Negative side will be Mrs. Anna Steese Richardson, associate editor of *Woman's Home Companion*, and Chester Rowell, editor of the San Francisco *Chronicle*.

## *'Zola' on Lux Program*

Paul Muni and Josephine Hutchinson will offer "The Life of Emile Zola" on the Lux "Radio Theatre" Monday at 9 P.M. over CBS.

## *Lammers on World Tour*

CNCINNATI, May 4.—Charles Lammers, WLW producer, is leaving this week on a five-month world tour to gather broadcast data. He will sail from the west coast May 19.

### *Only as Necessary*

**CBS couldn't very well help purchasing its television transmitter from RCA because of basic patents controlled by the latter, but is CBS ordering RCA receivers for use by its officials and television staff?**

**It is not. The order has been placed with General Electric.**

# ▸ *Radio Personals* ◂

BENAY VENUTA has been given a renewal for another year on Mutual . . . Billy Rose will make the featured guest appearance on Eddie Cantor's show Monday night. . . . Dave Elman will celebrate a birthday tomorrow in his home town, Park River, N. D., with the whole town turning out to celebrate with a parade and banquet.

## *2 NBC Television Programs Are Cast*

NBC television programs for Wednesday, May 10, and Friday, May 12, have been cast, with Jean Muir scheduled for an appearance before the television camera in a dramatic sketch.

Wednesday program will consist of acts from "Mexicana," new Broadway revue; a dramatic piece titled "The Faker," a song dramatization, a skating act and selected film subjects. Friday the talent will include Helen Morgan, Jean Muir, and three acts, a fencing team, a comedy duo and a team of midget acrobats. The television time schedule is 8 to 9 P. M.

## *'For Men Only' Trial*

N. Y. Supreme Court Justice Bernard L. Shientag ordered trial on June 6 of the suit of Beth Brown against NBC, Bristol Myers Co., Crosley Radio Corp. and Pedlar & Ryan, Inc., for an injunction to restrain the broadcasting of the program "For Men Only," which advertises Vitalis. Plaintiff claims ownership of the name "For Men Only," being author of a novel of the same title.

## *Writers' Series Set*

A series of four programs has been arranged by the World Congress of Writers, to be presented over the NBC-Blue May 8 at 4:30 P.M., May 9 at 12 noon and 3 P.M., and May 10 at 3 P.M. Among the writers scheduled to participate are Jules Romains, Dorothy Thompson, Erich Maria Remarque, Anton Zweig, J. B. Priestley, Andre Maurois, Thomas Mann, Henrik Willem van Loon and Vincent Sheean.

## *Ed Scheuing Bankrupt*

Edwin W. Scheuing, salesman for the WMCA Artists' Bureau, yesterday filed a voluntary petition in bankruptcy in the U. S. District Court. He listed $13,874 in liabilities, and no assets.

# Chase & Sanborn Holds Radio Lead

Latest word on popularity of network programs shows little change from the last few surveys. The Chase & Sanborn Hour is still the kingpin program, with the remaining nine leading shows following in order; Jack Benny, Lux "Radio Theatre," Bing Crosby's series, the Kate Smith show, Major Bowes, M-G-M "Good News" series, Edward G. Robinson's "Big Town," Burns and Allen, and Eddie Cantor.

Six of the leading 10 programs are broadcast over CBS, four over the NBC-Red network.

## *Winchell Given New Five-Year Contract*

Walter Winchell yesterday closed a deal with the Jergens-Woodbury Co. for a five-year renewal of his contract. The new contract will keep Winchell on the air through 1941 and will mark 10 years of broadcasting by the *Daily Mirror* columnist.

Winchell's salary remains the same, $5,000 per broadcast. Only new provision is that the company agrees to allow Winchell to stay as long as he desires in Florida each winter and will pay the line charges of $1,700 per week. Previously he was allowed to stay in Florida only four weeks with the company bearing the line expenses.

## *Uncle Don Renewed By Greenwich Bank*

Greenwich Savings Bank, for the ninth year, has renewed sponsorship in the Uncle Don children's series over WOR. The contract, for a full year, becomes effective May 15.

The Mennen Co., through the Kiesewetter agency, will start sponsorship of Mark Hawley's Transradio news programs on May 17. New business for WOR's recording department is an order to record the proceedings of the affairs attended by the Crown Prince and Princess of Norway, now visiting here; a series for Chateau Martin Wines; announcements for Maryland Bakeries to be broadcast over 220 stations; and a test campaign for Penny Gum Inc., to be used on 200 stations.

## *Rural Radio Study Nearing Completion*

Third annual study of program popularity among rural families by the Cooperative Analysis of Broadcasting is nearing completion and will be released to subscribers in about 10 days.

In addition to reporting the relative popularity of network programs in rural areas, the report will give comparable ratings for large cities; thus showing how various programs appeal differently to rural and urban people. Interviews have been spread equally among farmers and small town families in 300 different communities in the basic network area.

## *Radio Rubes in Boston*

The Radio Rubes are playing the RKO Keith in Boston for four days, yesterday through Sunday. They are broadcasting over WNAC during the engagement.

# Banner LINES

DESPITE the limited circulat (about 600 home receivers this area) 20th Century-Fox enthusiastic about the results achie through its tieup with WOR on f simile, a checkup with Charles Carthy, the company's director vertising and publicity, reveals. 2 Century-Fox intends to continue arrangement.

McCarthy states his company ceives numbers of letters each w from the facsimile fans, who, course, must be rated also as mot picture and radio fans.

While the expense to 20th Centu Fox is negligible, nevertheless th is an expense. The company p vides especially screened half-to and copy is in print form, on glo stock, set one column and a h wide. Copy and photos are tra mitted twice a day, 4 to 5 P. M., fr the studios in New York, and an hour during early morning, fr the transmitter at Carteret, N. There are no outright commer plugs for the 20th Century-Fox pr uct, as no commercials are allov in facsimile, but the company nev theless manages to get across thought that its offerings are perior.

▼

**Boake Carter in his syndica column the other day took a cr at radio commentators for th "war mongering," and by infere raked Walter Winchell for indu ing in "Sunday night war whoo Maybe Boake has got someth there, but it's a case of the calling the kettle black, for Bo in his day on the air was quite alarmist and war, to hear him it on numerous occasions, was j around the corner from his mic phone.**

▼

*Mutual, which used to carry ev big picture opening from the Carth Circle and Grauman Chinese T atres in Hollywood, won't any mo The network will not discuss the m ter, but they exude an unmistaka the-honeymoon-is-over impression.*

▼

**Here's an interesting fact vealed by Frank Mason, NBC vi president in charge of the int national division. Mason sta that judging from the numbers letters received from the listen in South and Central America, Hollywood news programs are c sidered just as important as the ternational news programs by listeners of the other Americas.**

—JACK BANN

## *Takes Ball Previews*

Gordon Baking Co. has purcha sponsorship of the baseball previ on WABC, effective immediately. P grams will be handled by Waite H former big league pitcher, and is the air Mondays through Saturda starting 10 minutes before game ti N. W. Ayer is the agency. The c tract is to run through the entire ba ball season.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 88 NEW YORK, MONDAY, MAY 8, 1939 TEN CENTS

# Pact Reached By Producers and Directors

### chenck Hails Nine-Year Studio Agreement

HOLLYWOOD, May 7.—After more
an two years of negotiations, com-
ttees representing eight major pro-
cers and the Screen Actors' Guild
ve completed tentative agreements
ecting every director, first and sec-
d assistant and unit manager in
ollywood and elsewhere in the coun-
.

Only the signatures of the respec-
e organizations are needed to make
e agreements official.

What was believed to be the final
stacle to peaceful settlement of bar-
ining, which already has entered
L. R. B. files, was the formation
Unit Managers Guild, Inc. Direc-
s and their assistants will belong to
e SDG.

The producers' agreements with the
DG and UMG will be for nine years.
ey provide:

Eighty per cent guild shop for du-
tion of the contract, minimum sal-
es for first and second assistants
d unit managers, consultation by
oducers of directors on casting and
iting of pictures, severance pay for
ers than directors, preparation time
or to shooting for directors, and, on

(Continued on page 2)

## Monogram Boosts Quota $2,505,000

CHICAGO, May 7.—Monogram's
es quota for 1939-'40 has been set
$8,850,000, W. Ray Johnston, presi-
nt, disclosed at the company's three-
y sales convention which ended here
sterday. This exceeds the current
ason's quota by $2,505,000.

Scott R. Dunlap, production vice-
esident, revealed talent additions.
ckie Cooper has been signed for an
ditional feature, and may do two.
an Parker has been contracted for
o pictures. Jerry Brandt, son of
e late Joe Brandt, who has formed
new company with E. B. Derr, has
en engaged as associate producer.

Monogram is considering the acqui-
ion of Spanish language features
oduced in Hollywood or Mexico
r distribution in Latin America.

(Continued on page 8)

***Hollywood review of "Rose of Washington Square" is on Page 6.***

### Equity May Gain Television Control

**Actors' Equity will be granted jurisdiction over the television field by Associated Actors & Artists of America, the parent body, it was revealed by union sources unofficially over the weekend.**

**A three-hour session resulted in the passage of a resolution Friday which was not made public. Meetings are scheduled for this afternoon and next Monday but these will concern themselves only with the ironing out of details, the same sources stated.**

## Montague Pledges Columbia Support Of Trade Program

ATLANTIC CITY, May 7.—Columbia will comply with the industry trade practice program in every respect, A. Montague, general sales manager, who is a member of the distributors' negotiating committee for the pact, will tell the company's eastern and southern sales forces at the opening session tomorrow of the first of three regional sales meetings.

"Columbia took an important part in the recent trade practice conferences," Montague will say, "and if the code is accepted by the Government and by exhibitors, individually and in groups, we definitely intend to live up to the very letter of the agreement.

"Our 'decentralized' sales organiza-

(Continued on page 4)

# MAY ORDER TRUST WITNESSES NAMED

### Bondy Hints He'll Oppose Federal Plea to Keep Identities Secret

Federal Judge William Bondy on Friday strongly indicated he would deny the Government's request to forego naming witnesses in the Government's anti-trust suit against major film companies.

Judge Bondy reserved decision on the Government's motion to dispense with naming witnesses to alleged acts of coercion against independent exhibitors to force them to sell their theatres. This information had been requested by the companies in connection with the bill of particulars. Judge Bondy may decide a compromise in which witnesses will not be named until the defendants' answers are on file.

Paul Williams, special assistant attorney general, insisted there was grave danger of intimidation of witnesses. A number of film company employes have refused to testify, he said, because they fear intimidation.

In support of his contention, he cited testimony of Austin C. Keough, Paramount counsel, during the North Dakota theatre "divorce" hearings in

(Continued on page 6)

## 32 Features On UA's List; 11 Producers

LOS ANGELES, May 7.—A minimum of 32 features from 11 producers are scheduled for new season release by United Artists, the company's national sales meeting at the Ambassador here will be told with the opening of the convention tomorrow. Both the number of pictures and the number of producers are the largest to be announced by the company during its 20-year history.

Two productions from Samuel Goldwyn are included by the company in its new season release schedule. Other producers who will contribute to the list are David O. Selznick, with three; Charles Chaplin, one; Alexander Korda, five; Douglas Fairbanks, one; Walter Wanger, six; Hal Roach, five plus a series of four Stan Laurel and Oliver Hardy pictures; Edward Small, seven; Ernst Lubitsch-Sol Lesser, one, and David L. Loew, one.

Lubitsch, Lesser and Loew are newcomers to the company's roster of contributing producers.

Following are the new season's pro-

(Continued on page 6)

## *Television's First Week Is Called Great Success*

Television's first week of regular service has been successful beyond expectation, according to NBC officials, and comments in New York newspapers.

NBC officials say word has come to them throughout the week from viewers in New York City, Long Island, Westchester and Connecticut reporting "excellent reception." There is no authoritative checkup of the number of television receivers now possessed by the public, but television executives place the number at approximately 300 sets, with numerous orders booked by dealers for future delivery.

RCA and Philco receivers on the market are priced from approximately $150 to $600 a set. General Electric, Farnsworth, Dumont and other companies shortly will place their sets on the market. Barrons, financial weekly, reports that sales estimates for television sets for this year can be placed at near 40,000.

Of television's "first night," which took place the past Thursday, the New York *Times* reported that observers "remarked at the mobility of the cameras in handling the close-ups and long-shots of the acts, bringing out the high spots in the performances. The program also demonstrated that the radio eye, or iconoscope, in the cameras has been made more sensitive and all-seeing."

## $550,000 of RKO Notes Exchanged

Only holders of $550,000 out of a total of $12,700,000 in debentures of RKO have elected to exchange their bonds for new preferred stock alone, it was disclosed Friday by Hamilton C. Rickaby, attorney for Atlas Corp., during a hearing before Federal Judge William Bondy.

Disclosure was made upon application of H. Cassel & Co., holder of $300,000 in gold debentures, for an extension of time to make its election until 20 days after the Circuit Court of Appeals renders a decision from three appeals pending on confirmation of the plan.

Judge Bondy adjourned Cassel's application for one week and stated he would extend the adjournment until after decision by the Circuit Court if the Stock Exchange would not object to the delay. O. C. Doering of the Irving Trust Co., RKO trustee, said he would report to the court whether the Exchange would oppose any delay.

# Pact Reached By Producers and Directors

(*Continued from page 1*)

a whole, terms generally available now only to leading directors.

Joseph M. Schenck, president of A. M. P. P., said:

"Amicable solution of all issues between the guilds and the producers gives us all great satisfaction. Agreement does more than dispose of pressing labor problems in the industry. It also serves to emphasize anew that a conference table with a democratic give-and-take is the best medium for solving and settling differences between employer and employe."

The tentative agreement makes the following provisions for first assistant directors:

Minimum salary of $125 a week; 10 per cent raise for those getting over the minimum at present; all contracts between individuals and producers to be for a minimum of 46 weeks.

Two weeks' vacation with pay; severance pay of one week for free lancer if working more than two consecutive weeks; three days pay for free lancer if working less; all first assistants to get minimum whether members of the guild or not.

### Second Assistants' Benefits

Provisions for second assistants include:

Ninety cents hourly for second year and $1 hourly for third and subsequent years; overtime as provided in wages and hours bill; 10 per cent raises for those getting minimum and above at present; minimum call eight hours.

The agreement is subject to cancellation at the end of four years, or at any time after three years, provided one year's notice is served.

The guild agrees not to strike against any producer. Primary signatories are 20th Century-Fox, Loew's, Inc., Columbia, Goldwyn, Warners, Paramount, RKO and Universal.

## *Producer Proposal Rejected by S.W.G.*

Hollywood, May 7.—Directors of Screen Writers' Guild Friday night declared the producers' proposal for a basic agreement was but a company union contract and that "we cannot ask our members to surrender this freedom of action for seven years in return for such a contract."

The letter was signed by Charles Brackett, president of the guild, and followed a letter from Mendel Silberberg, producers' attorney, who indirectly had charged bad faith on the part of the guild. Brackett said the guild has always insisted on a short term pact.

Everybody in Show Business
MEETS AT
SARDI'S
234 West 44th Street
LAckawanna 4-5785

# *Purely Personal*

WILL H. HAYS left Saturday night for his usual spring visit in Hollywood. He expects to be away two weeks.

•

John Hay Whitney, chairman of the board of Selznick International, is due today on the *Queen Mary*. He will proceed directly to the coast for a week's visit, then return to New York.

•

Jascha Heifetz, violinist, left Hollywood Friday for Detroit and from there will come to New York for a refugee benefit tomorrow. He will return to Hollywood after the benefit.

•

C. C. Moskowitz, Loew vice-president in charge of New York theatres, and Seymour Mayer, district manager, returned yesterday from a three-week Florida and Havana vacation.

•

Karl Hoblitzelle, Interstate president, is back in Dallas after a visit to New York and Washington as a member of the Texas World's Fair Commission.

•

Louis Notarius of the Paramount home office theatre department, leaves for the coast at the end of the week to take up a new assignment at the studio.

•

Barret Kiesling of the M-G-M studio exploitation department, is touring southern towns lecturing to women's clubs on picture trends.

•

Mr. and Mrs. Messmore Kendall will be hosts to Mrs. Gilbert White, widow of the American artist, during her visit here from Paris.

•

Herman Rosenberg, head of Cosmopolitan Studios, has acquired facilities, goodwill and name of National Studios.

•

Betty Warner, daughter of Harry M. Warner, is engaged to Milton Sperling, scenarist.

•

James Roosevelt, vice-president of Samuel Goldwyn, Inc., arrives today from England aboard the *Queen Mary*.

ERNIE EMERLING of Loew's advertising department, leaves Wednesday on the *Queen Mary* with Mrs. Emerling for a European vacation.

•

Eddie Dowling, appearing in Boston in "Our Town," and his wife, Ray Dooley, were guests of Judge James E. Dooley, president of the Narragansett Track. Among the guests were Mr. and Mrs. Tom Meehan, Mr. and Mrs. Martin Toohey, Mr. and Mrs. Eddie Healey.

•

Major F. J. Pearson, operator of the army post theatre at Ft. Leavenworth, Kan., visited RKO's World's Fair headquarters Friday. Other visitors were Don Widlund of Jam Handy, Detroit, and Yrgo Sarramo of Helsingfors, Finland, who is interested in distribution there.

•

Harry Hellman, operator of the Royal and Paramount, Albany neighborhood houses, has returned from a two-month vacation in Florida.

•

Al Smith, visiting on the coast, was the guest of Harry M. and Jack L. Warner at a studio luncheon late last week.

•

Walter Hoffman, manager of the Park, Morristown, N. J., has returned from a three-month Miami vacation.

•

Richard P. Leahy, operator of the Washington and Winona, Bay City, Mich., is in town to see the World's Fair.

•

Jennie Dennett, head booker at Republic's New York exchange, has returned to her desk after a brief illness.

•

A. N. Notopoulos, head of Altoona Publix Theatres, is in New York for a visit with Paramount officials.

•

Arthur Lee and Ian C. Javal of Baird Television were luncheon guests aboard the *U. S. S. Tennessee*.

•

Luis H. Gomez, exhibitor of Armenia, Colombia, is in town.

## *200 at Interstate Galveston Session*

Dallas, May 7.—More than 200 managers and home office executives of Interstate Circuit and Texas Consolidated theatres, will convene tomorrow at Galveston for a four-day meeting. Exhibitors from most circuits in the country have been invited. Distributors also will be present.

Barney Balaban, Paramount president, will go to Galveston from New York by plane on Wednesday to attend the final sessions of the meeting. Also attending from the Paramount home office will be Leonard Goldenson, who left New York Sunday. Others who will attend are E. V. Richards of Saenger Circuit, New Orleans; E. J. Sparks of Florida, and Robert Wilby of Atlanta.

## *Louis Mayer Due for Parleys Here*

Louis B. Mayer, vice-president in charge of M-GM production, is due here early this week from Louisville where he went from the coast for the Derby. He is scheduled to remain here three weeks for conferences with Nicholas M. Schenck, president; J. Robert Rubin, vice-president, and others.

TELEVISION FILMS . . .
We invite Producers or Distributors of Short Subjects . . . who own original negatives . . . to register with us their available product suitable for TELEVISION programs. In replying list individual subjects and footage.
TELEVISION CLEARING HOUSE, Inc.
2819 R. K. O. Building
Radio City New York

# Allied Forum To Air Views On Film Cod

Dissatisfied with the attitude of n tional Allied States Association ward the industry trade practice gram, Allied of New York will ho an open forum of exhibitor and di tributor representatives on the co in conjunction with the state orga zation's convention at the Astor he May 23-25, on the basis of which will formulate its own code policy.

This was made known at New Yo Allied headquarters over the wee end, as preparations for inviting representative list of distribution e ecutives and exhibitor organization ficials to participate in the foru were begun.

The local Allied's current view the trade program is that, while may be lacking in some desira phases of trade practice control a reform, it is a vast improvement ov practices in vogue heretofore and, such, is immeasurably better than program at all.

The New York Allied conventi forum, also, will initiate some acti designed to include United Artis among the distribution companies pa ticipating in the trade practice pr gram. What form of action will devised is not known now. Howev the local Allied unit is convinced th the pact is hardly an industry pr gram with any of the large distrib tors outside its provisions.

## *New Yorkers Attend Penna. ITO Openin*

Ed Auger of RCA, H. M. Rich director of exhibitor relations f RKO, and E. Thornton Kelly, exec tive secretary of New York Alli are among New Yorkers who will tend the "open house" in Philadelph tomorrow of the I.T.O. of Easte Pennsylvania, Allied unit.

This will mark the official openi of the organization's quarters at 2 No. Broad St. Sidney Samuelson the I.T.O.'s business manager.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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# Confessions of a NAZI SPY

**SENSATION OF SENSATIONS AT N.Y. STRAND!**
**THE NATION'S SENSATION THIS WEEK!**

**IT WAS WARNER BROS. AMERICAN DUTY TO MAKE IT**
**...IT'S YOUR AMERICAN PRIVILEGE TO SHOW IT!**

*(And make a mintful of dough! It's a walloping pre-release holdover already!)*

Starring
**EDWARD G.**
**ROBINSON**

With
**FRANCIS LEDERER**
**George Sanders · Paul Lukas · Henry O'Neill**
Directed by
**ANATOLE LITVAK**
Screen Play by Milton Krims and John Wexley
Based on materials gathered by Leon G. Turrou, ace G-Man • A First National Picture

# Columbia Will Observe Code —Montague

(*Continued from page* 1)

tion is ideally geared to put the code into effect as branch managers and salesmen have the authority already to handle individually any code problems which may arise in their respective territories. We hope for better understanding as a result of the operation of the code among buyers and sellers throughout the industry."

### 125 Delegates Present

Here for the four-day session at the Ritz-Carlton are 125 home office executives and representatives of 16 branch offices. The meeting will be opened by Jack Cohn, vice-president, with Montague's address following. He will acquaint the men with the new season's sales policies and on Tuesday will outline the new production plans. Addresses by other sales and home office executives will follow, including an analysis of company manpower by Rube Jackter, assistant sales manager, and an outline of next season's advertising and publicity plans by Maurice Bergman, director of advertising, publicity and exploitation.

Other addresses will be made by Joseph A. McConville, foreign sales manager; Lou Weinberg and Louis Astor, circuit sales managers; Lou Weisfeldt, short subjects manager; Al Seligman on accessories; Sam Liggett on the non-theatrical field, and Maurice Grad on sales promotion.

### Branches Represented

Attending the meeting in addition to the home office and foreign department officials and New York branch representatives reported earlier, are the following:

Atlanta—Southern Division Mgr. S. Moscow; Branch Mgr. W. W. Anderson; salesmen, B. A. Wallace, U. T. Koch, E. B. Foster, S. Laird; Charlotte—Branch Mgr. R. J. Ingram; salesmen, G. Roscoe, R. D. Williamson, C. Patterson; Dallas—Branch Mgr. J. B. Underwood; salesmen, H. Craver, W. L. Penn, J. L. McKinney, W. S. Hurst, A. M. Whitcher; Memphis—Branch Mgr. J. J. Rogers; salesmen, H. Kohn, T. B. Haynes, H. A. Chrisman; New Orleans—Branch Mgr. H. Duvall; salesmen, J. Winberry, J. J. Fabacher; Oklahoma City—Branch Mgr. C. A. Gibbs; salesmen, J. A. Smith, S. Gibbs, J. P. Hudgens.

Washington—Mid-East Division Mgr. S. A. Galanty; salesmen, O. D. Weems, J. B. Walsh, C. A. Wingfield, B. Caplon, J. Kushner; Cincinnati—Branch Mgr. A. S. Moritz; salesmen, C. R. Palmer, H. W. Rullman, L. E. Davis, P. Niland, J. Curran; Cleveland—Branch Mgr. L. Zucker; salesmen, M. Glick, J. Share, S. Gerson, O. Bloom, G. B. Bojae; Pittsburgh—Branch Mgr. A. H. Levy; salesmen, S. Sugarman, J. Gins, C. B. Kosco, G. Tice, J. Kohler; Albany—Branch Mgr. Phil Fox; salesmen, E. Hochstim, J. Armm, M. Cohn, S. Goldberg; Boston—Branch Mgr. I. H. Rogovin; salesmen, E. Cohen, S. Simons, T. A. Donahue, H. Olshan, J. Wolf, A. Barry; Buffalo—Branch Mgr. Joe Miller; salesmen, C. H. Ferguson, J. Bullwinkel, J. Lindsay, C. Harter; New Haven—Branch Mgr. T. F. O'Toole; salesmen, B. J. Lourie, S. Swirsky; New York—New York Division Mgr. N. Cohn; Branch Mgrs. I. Wormser, S. Trauner; salesmen, J. Sokoloff, S. Schussel, M. Fraum, J. Wenisch, E. Helouis, S. Feinblum; Philadelphia—Branch Mgr. H. E. Weiner; salesmen, J. Schaeffer, D. Korson, W. Bethell, M. Goldstein, L. Wurtele. Also H. Sachs, I. Hanover and F. J. Barry, home office representatives.

## *Columbia Leaders at Sales Meetin*

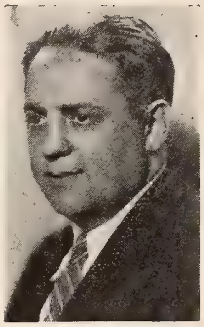
**JACK COHN**
Vice-President of Columbia

**A. MONTAGUE**
General Sales Manager

**A. SCHNEIDER**
Treasurer of Columbia

**J. A. McCONVILLE**
Foreign Sales Manager

**RUBE JACKTER**
Assistant Sales Manager



**LOU WEINBERG**
Circuit Sales Manager

**M. A. BERGMAN**
Head of Adv. and Publicity

**M. WEISFELDT**
Shorts Sales Manager

**LOUIS ASTOR**
Circuit Sales Manager

## Blumenthal Wins Right to Sue Para.

Appellate Division of N. Y. Supreme Court on Friday vacated an injunction which restrained Ben Blumenthal from prosecuting a suit for breach of contract against Paramount in England and upheld Blumenthal's right to start his action in an English court.

By a three to two decision, the court rejected Paramount's contention that the suit should be brought in New York and said that mere hardship or inconvenience to Paramount would not justify an injunction.

Blumenthal brought suit in England for breach of alleged contract to remunerate him for the sale of Paramount's British holdings. Paramount retaliated by a suit in N. Y. Supreme Court to restrain the English suit and obtained an injunction on March 3.

Blumenthal claimed his witnesses resided in England and said he would call Oscar Deutsch, George Elcock and Major W. I. Anderson of Odeon Theatres, David Rose, Paramount's British chief, J. C. Graham, formerly with Paramount, and William Greve to testify in his behalf.

## *DuPont Net $395,751*

Net profit of $395,751 was earned by DuPont Film Manufacturing Corp. in the first quarter as compared with $329,751 for the same period last year. Pathe Film Corp. holds 35 per cent of the stock and the balance is owned by E. I. duPont de Nemours & Co.

## *20th-Fox Annexes Republic of Liberia*

**A large portion of the playing time in Liberia, Negro Republic in Africa, has been obtained by 20th Century-Fox in a deal closed by Irving Maas, foreign service manager.**

**The pictures will be shown in the only theatre in Monrovia, the only city in the Republic. The theatre is operated by the Firestone Rubber & Tire Co. With 24 playing weeks available, the company purchased a total of 12 films from 20th Century-Fox.**

## *Carroll, Munro Are Due from Australia*

Dan Carroll, head of the Birch, Carroll, Coyle Circuit in Australia, and Charles Munro, head of Hoyt's Circuit, both of whom are members of the governing board of four for the Australian film industry, are en route to this country on the *Monterey*, due in Los Angeles May 15. Norman B. Rydge, head of Greater Union Theatres, a third member of the board, is here now.

Their visit coincides with those of Australian managers of all the large distributors, most of whom have been here within the past few months.

Harry Hunter, Paramount's manager for Australia, who arrived on the coast recently and has been visiting relatives in the Pacific Northwest, is en route to New York and is expected here Wednesday.

## Personnel Changes Are Made by G. N

Promotions and additions to t
Grand National sales force were a
nounced over the weekend by Sol E
wards, eastern division sales mar
ger.

Appointments of branch manage
include Marcel Mekelberg, Bosto
Bert Freese, Buffalo; Max Sta
Cleveland; William Minder, New C
leans; Herbert Given, Philadelph
replacing Sol Krugman, resigne
Joe Hartman, St. Louis, replacing
H. Day, resigned, and Joe Kalis
Washington, replacing Harry Brov
resigned. Stahl, former branch ma
ager for United Artists in Cincinna
and Kaliski, formerly with G.
were branch managers for Educ
tional.

Paul Richrath, formerly in t
home office sales contract departme
has been appointed Albany manag
replacing Arthur Newman, resign
William Benjamin has been shift
from Detroit to Chicago, replaci
James Winn, resigned. Ralph Pec
ham returns from Buffalo to ta
charge at Detroit. Douglas Des
Kansas City booker, has been a
pointed acting branch manager, a
Max Shulgold, Pittsburgh salesma
has been promoted to acting bran
manager.

## *Buy Remarque Novel*

Hollywood, May 7.—M-G-M h
purchased the screen rights to Eri
Maria Remarque's newest nov
"Heroes," soon to be published
serial and book form.

# BING'S SINGING 'EM IN AT THE

# RADIO CITY MUSIC HALL

# AS THE CRITICS CHORUS:

"...'EAST SIDE OF HEAVEN' is the most delightfully amusing film Bing Crosby has ever done ...Sandy is the most adorable infant in a film since Baby LeRoy." —Kate Cameron,
DAILY NEWS

"...much too ingratiating to be missed..." —Ben R. Crisler,
NEW YORK TIMES

"...totally delightful...Sandy Henville...is one of the most beguiling infants to be found..." —Bland Johaneson,
DAILY MIRROR

"You'll find it great fun." —Rose Pelswick,
JOURNAL-AMERICAN

"Sandy Henville...is our favorite actor of the month." —Herbert Drake,
N. Y. HERALD TRIBUNE

"One of the finest pieces of unadulterated screen entertainment to come along in months." —William Boehnel,
WORLD-TELEGRAM

Bing CROSBY ☆ Joan BLONDELL
MISCHA AUER
in
## East Side of Heaven
with
IRENE HERVEY · C. AUBREY SMITH
JEROME COWAN · "SANDY"
MATTY MALNECK and his Orchestra

Screenplay by William Conselman
Original story by David Butler and Herbert Polesie
Directed by DAVID BUTLER
EW UNIVERSAL PICTURE

BING SINGS:
"That Sly Old Gentleman"
"East Side of Heaven"
"Hang Your Heart on a Hickory Limb"
"Sing a Song of Sunbeams"

# 32 Features on UA's List; 11 Producers

(*Continued from page* 1)

ductions as planned to date.

**David O. Selznick**

"Intermezzo," starring Leslie Howard, who will serve, as well, as associate producer. From the original by Gustav Molander and Gaesta Stevens.

"Rebecca," directed by Alfred Hitchcock, from the novel by Daphne Du Maurier.

A third production as yet untitled.

**Charles Chaplin**

"The Dictators," written, produced and directed by Chaplin, who will star in the picture in his first speaking role. (Title is tentative.)

**Samuel Goldwyn**

"Music School," with Jascha Heifetz, world-famous violinist, in his first screen role, and Joel McCrea and Andrea Leeds. Archie Mayo, director.

"The Real Glory," starring Gary Cooper, with Andrea Leeds, David Niven, Walter Brennan, Henry Hathaway, director. Screenplay by Jo Swerling.

**Alexander Korda**

"Four Feathers," the A. E. W. Mason novel, adapted by R. C. Sherriff and directed by Zoltan Korda. Already completed.

"Over the Moon," starring Merle Oberon. Directed by Thornton Freeland from the screenplay by Robert E. Sherwood.

"The Thief of Bagdad," with Sabu and Conrad Veidt. Ludwig Berger, director.

"Sinner," based on Prevost's "Manon Lescaut," starring Merle Oberon. Alexander Korda, director.

"The Jungle Boy," starring Sabu. Based on Rudyard Kipling's "Jungle Book."

**Walter Wanger**

"Winter Carnival," starring Ann Sheridan and Richard Carlson. Charles F. Riesner, director.

"House Across the Bay," starring Joan Bennett. Directed by Archie Mayo from the screenplay by Sarah Y. Mason and Victor Heerman, and the original story by Myles Connolly.

Also, an original story by Gene Towne and Graham Baker, Tay Garnett, director; a fictionization by John Meehan of Vincent Sheean's great novel, and two other productions as yet untitled.

**Hal Roach**

"The Housekeeper's Daughter," from the novel by Donald Henderson Clarke. Hal Roach, director. Featuring Joan Bennett and Adolphe Menjou.

"Of Mice and Men," the John Steinbeck play, to be directed and supervised by Lewis Milestone.

"1,000,000 B. C.," an imaginative picturization of the beginning of time.

"Captain Caution," from the novel by Kenneth Roberts.

Also a production based on a Thorne Smith novel. Also, a series of four Laurel and Hardy pictures.

**Edward Small**

"Kit Carson," based on the adventurer's life, with Joel McCrea, Henry Fonda and Frances Dee.

"My Son, My Son," Howard Spring's novel, with Louis Hayward starred.

Also "Quantrill, the Raider," "Valentino," "South of Pago Pago," "Two Years Before the Mast" and "Food of the Gods."

**Douglas Fairbanks**

"The Californian," a dramatization of the story of Lola Montez.

The Lubitsch-Lesser production and the David Loew production remain to be announced.

Mary Pickford was hostess yesterday to the U. A. convention delegates and producers, stars, directors, writers and other production figures at a lawn party at Pickfair.

Present were Murray Silverstone, U. A. head, who arrived Friday; Harry D. Buckley, Arthur W. Kelly, Edward Raftery, Charles Schwartz, Frank Ross, Walter Wanger, Charles Chaplin, Ernst Lubitsch, David L. Loew, John Ford, Clarence Erickson, Mr. and Mrs. Sol Lesser, Mr. and Mrs. David O. Selznick, Mr. and Mrs. Hal Roach, Mr. and Mrs. Alfred Hitchcock, Mr. and Mrs. Douglas Fairbanks, Mr. and Mrs. Tay Garnett, Mr. and Mrs. Henry Ginsberg, Mr. and Mrs. Richard A. Rowland, Mr. and Mrs. George Bruce, Mr. and Mrs. C. W. Thornton.

Also attending were: Carole Lombard, Clark Gable, Loretta Young, Hedy Lamarr, Gene Markey, Claire Trevor, Leslie Howard, Ann Sothern, Louis Hayward, Ida Lupino, Jean Arthur, Cesar Romero, Joan Bennett, Ann Sheridan, Richard Carlson, John Wayne, Werner Jenssen, Ann Harding, Thomas Mitchell, George Bancroft, Andy Devine, Helen Parrish, Charles F. Riesner, Jean Parker, June Lang, Virginia Field, Marcella Rabwin, Daniel O'Shea, E. C. Scanlon, Ray Klune, Val Lewton, Fred Schuefler.

## *Hollywood Review*

### *"Rose of Washington Square"*

*(20th Century-Fox)*

HOLLYWOOD, May 7.—"Rose of Washington Square" is an audience entertainment and an exhibitors' exploitation picture. It tells an appealing melodramatic romance, power of which is strengthened by the commendable performances of Tyrone Power, Alice Faye and Al Jolson, who are supported by a corps of capable players. Like "Alexander's Ragtime Band," the film's music is made up mainly of songs that were popular during the roaring twenties. As such it possesses a nostalgic quality certain to strike an appreciative responsive chord in audience memory.

Elaborately staged, production detail and settings recreating New York of the Prohibition era, the story casts Jolson in a role that practically permits him to retell his own career story during the period when he was winning recognition as the world's foremost entertainer. While the parts played by Miss Faye and Power are assertedly fictional, anyone familiar with the Broadway and theatrical scene of a short generation ago will find them direct and pointed parallels to the actual lives of two of the White Way's most colorful personalities.

While climbing the ladder of theatrical success as Jolson's protege, Miss Faye falls in love with Power, a gambler continually involved in shady deals. As Jolson goes on to Winter Garden stardom, Miss Faye who has become a cabaret entertainer, marries Power. Through Jolson's influence Miss Faye lands a Ziegfeld contract. Power is arrested and Jolson, still sympathetic towards Miss Faye, posts bail for him, which he jumps. Ultimately Power gives himself up, takes a jail sentence, and Miss Faye promises to wait for his release. Jolson continues his career alone.

The story by John Larkin and Jerry Horwin, which Nunnally Johnson, who also served as associate producer, adapted, is intelligently constructed. While accenting the sympathetic appeal of the dramatic love theme, the plot also employs comedy, which gives Joyce Compton, Hobart Cavanaugh, William Frawley and E. E. Clive many chances to be amusingly effective. Likewise the old musical numbers, incorporated into the score by Louis Silvers, and by Seymour Felix's spectacular dance routines, are so inserted as to emphasize the story's varying moods. The preview audience was enthusiastically appreciative as Jolson sang his famous "Mammy" and "Rockaby Your Baby," as well as Miss Faye's renditions of "Rose of Washington Square," "My Man" and the new Mack Gordon-Harry Revel number, "I Never Knew Heaven Could Speak."

Gregory Ratoff did a workmanlike job in directing. Highlights of his efforts are the manner in which he made everything vividly colorful yet believable and his skill in carrying Power through a radically different (for him) characterization, making him a disreputable yet likeable personality.

Running time, 90 minutes. "G."* G. McC.

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**"G" denotes general classification.*

# May Request Federal List of Witnesse

(*Continued from page* 1)

June of last year, in which he clai Keough characterized an exhi witness as "ungrateful."

Col. William J. Donovan of counsel to RKO, who bore the brunt c the defendants' battle, declared that th defendant companies had negotiate untold thousands of exhibition contracts since 1918 and that it woul be impossible for them to properl prepare for trial on all these transactions unless witnesses were named.

Judge Bondy said the charges c coercion were very serious and if substantiated the defendants would b treated "unmercifully." In view o the gravity of the charges, he state he felt it only fair that the particulars be set forth.

Colonel Donovan indicated that th defendants were far from satisfie with the bill of particulars as filed an that application would be made nex week for an order directing the filin of a more detailed bill.

Judge Bondy said that the Government was in no better positio than an ordinary plaintiff and that h could see no real reason why the details should not be forthcoming. Th Government can take the precautio of securing signed statements of witnesses, he continued, and if they attempt to change their testimony o trial the Department of Justice coul impeach them.

Attorneys for the companies submitted affidavits by general sales managers and other offices denying inten to intimidate and asserting that th Government's contentions were "preposterous and ridiculous."

S. R. Kent, president of 20th Century-Fox, said that it was "impossibl to denounce with sufficient emphasis' the reasons for the application an claimed the Government was attempting to imply that the defendants wer "habitual lawbreakers."

William F. Rodgers, M-G-M general sales manager, denied that i any of the numerous past anti-trus actions his company had ever take reprisal measures against complainin witnesses. Affidavits were filed als by Ned E. Depinet, vice-president o RKO Radio Pictures, and Gradwell L Sears, general sales manager of Warners.

## *Jeff Kibre Writ Is Dissolved by Court*

LOS ANGELES, May 7.—Habeas corpus writ which freed Jeff Kibre, minority leader of Studio Technicians' Local 37 from County Jail when he refused to pay a $50 contempt fine, was dissolved Friday by Superior Judge Minor Moore. The judge declared he had no authority to issue such an action.

## *C.F.I. Profit $217,733*

First quarter for Consolidated Film Industries and subsidiaries resulted in a net profit of $217,733, the equivalent of a 50-cent regular quarterly dividend on 400,000 preferred $2 dividend shares and three cents each on 524,973 common shares.

# N NEW YORK CITY TODAY...

IT'S

ROXY
TYRONE POWER
ALICE FAYE
AL JOLSON
"ROSE OF
WASHINGTON SQUARE"
NEW STAGE SHOW

AND

**"ROSE OF WASHINGTON SQUARE" OPENING AT ROXY TOPS EVERYTHING SINCE "ALEXANDER'S RAGTIME BAND" EXCEPT "JESSE JAMES"! SENSATIONAL FIGURES INCLUDE RECORD 1,475 PEOPLE IN LINE!**

20th Century Fox

THE KEYSTONE
OF YOUR FUTURE

# Coast Fourth And N.Y. First In NBC Shows

Summary of programs produced over NBC networks during 1938 discloses Hollywood in fourth place as an origination point, with New York, Chicago and San Francisco preceding the film center in that order. This ranking has prevailed in the past two years.

In percentages, Hollywood provided 8.2 per cent of all programs broadcast over the NBC networks the past year. In terms of hours, Hollywood broadcasts consumed 1,567 hours during 1938, which compares with 1,402 in 1937, 790 in 1936, 184 in 1935 and 54 in 1934. Prior to 1934, Hollywood did not figure at all as a program origination point.

New York originations led all points last year, with 6,974 program hours. Chicago was second with a total of 4,366 hours, and San Francisco third with 3,042 hours.

The overall program-hour total for the year was 19,091. Commercially-sponsored shows consumed only 29.6 per cent of the total broadcasting time and the balance, 70.4 per cent, was devoted to sustaining periods.

Musical programs, among classifications, stood highest, with 11,089 program hours. In order, followed: literature and drama, 3,424 hours; talks and dialogue, 1,841; news and resumes, 658; sports, 342; comedy, 549; women's programs, 282; children's programs, 704, and religion, 202.

# Republic Meeting In Frisco Today

San Francisco, May 7.—Last of Republic's regional sales meetings gets under way at the Empire Hotel tomorrow. The program, which will last for two days, is similar to that of the previous meetings.

Presiding at the last meeting will be Grover C. Parsons, western district sales manager. Speakers will include H. J. Yates, James R. Grainger, president of Republic Pictures; William Saal, special representative; Floyd St. John, J. T. Sheffield and Francis Bateman, franchise holders.

Among others expected are Grover C. Schaefer, controller, of the home office; Ed Walton and Sam Milner, Seattle; G. Gerbase, F. W. Sheffield, Denver; M. Ross, Salt Lake City; R. Boomer, Butte; J. H. Sheffield, Jack Rue, Portland; W. Weisbaum, W. Boland, J. N. Cane, S. C. Martenstein, San Francisco; F. Bateman, A. John Frey, J. S. Stout, Los Angeles.

## *Vance Babb Quits NBC*

J. Vance Babb, manager of the NBC press department, has resigned. Babb has been with NBC a number of years. His future plans are indefinite.

# ▸ *Radio Personals* ◂

SAXIE DOWELL has left the Hal Kemp crew to organize his own band, with Alex Holden managing and Music Corp. of America booking. . . . Doreen MacKay, Australian radio artist and producer, is in New York for a two-week vacation. . . . Norman Corwin of CBS will lecture at the Writers' Conference at the University of Colorado this summer. . . . Tommy Dorsey's program Wednesday will come from Nashville, over WSM.

# British Films Tax Protests Scheduled

London, May 7.—Industry groups are scheduled to register protests next week against the proposed film customs tax included in the new budget.

Association of Cine Technicians will have a deputation before the Board of Customs tomorrow. Cinematograph Exhibitors' Association committee will meet Inland Revenue officials Wednesday.

### Council Meets May 17

London, May 7.—The Films Council meets May 17 to consider and approve the report of the first year of the Films Act prior to its presentation to Parliament.

## *Oklahoma Exhibitors Organizing New Unit*

Oklahoma City, May 7.—Approximately 100 independent exhibitors are expected to attend a meeting at the Biltmore here on Tuesday at which the proposed new independent exhibitors' association is scheduled to be organized in opposition to the Oklahoma Theatre Owners, Inc., according to Orville Von Gulker, temporary chairman.

The group may not proceed with the formation of its contemplated film buying pool as a result of the recent filing here of the Government anti-trust suit against the Griffith Enterprises, inasmuch as some of the sponsors believe the pool may not be necessary if the Government wins the action.

The new organization, if formed, will not become an Allied States affiliate, Von Gulker said, although H. A. Cole, Allied president, will be one of the principal speakers at the Tuesday meeting. Another meeting is planned in two weeks to continue the organizing plans.

## *Ruling Upon SAG Demurrer Today*

Los Angeles, May 7.—Superior Judge E. H. Wilson has deferred until tomorrow his ruling on the demurrer entered by the Screen Actors' Guild in the suit filed by three extras over allegedly illegal election of Class B council members. Postponement of the ruling was requested Friday by attorneys for the extras.

## *Nazi Spies, Bund Intrigue Producers*

**Subversive activities as film themes appear to have caught on with Warners and M-G-M. Just before Warners released "Confessions of a Nazi Spy," M-G-M came out with a two reel subject, "While America Sleeps," also on spies. Now Warners are planning a Nazi Bund feature, and M-G-M is understood preparing to shoot a two-reeler on the Bunds.**

# Foreign Film Group Aids New York Fund

Foreign film distributors have organized to raise a sum as their contribution to the Greater New York Fund, now in its third week.

Heading this campaign is an executive committee including Joseph Burstyn, Max Goldberg, Jean Lenauer and Archie Mayers. The cooperation of all firms and organizations distributing or exhibiting foreign films will be enlisted.

## *Ampa in Campaign For New Members*

Ampa today inaugurates a membership drive which will continue until early fall. The campaign will be limited to those employed in film companies' advertising and publicity departments.

During the drive the customary initiation fee will be waived and upon payment of the first year's dues of $10, new members will be considered in good standing until Nov. 1, 1940.

The board of directors is serving temporarily as the membership committee. Board members are Paul Lazarus, Jr., president; Vincent Trotta, Herbert Berg, Kenneth Clark, Martin Starr, Eli Sugarman, Ralph Rolan, Louis Lifton and James Cron of Motion Picture Daily.

## *Monogram Boosts Quota $2,505,000*

(*Continued from page* 1)

Norton V. Ritchey, manager of the foreign department, stressed the necessity of making films with a definite appeal for this market.

Ed Kuykendall, M. P. T. O. A. president, hailed Monogram as the "gamecock of the industry." Kuykendall voiced hopes that the trade practice code would be adopted shortly.

Other speakers included John Balaban, president of Balaban & Katz; Morris Leonard, president, M. P. T. O. A. of Illinois; Norman Bede Rydge, managing director of British Empire Films, of Australia; Sol Francis, new Monogram franchise holder in Omaha; John Trent, Martin Spellman, Frankie Darro, Charles W. Trampe, Sam Rosen, J. Reginald Wilson, Mel Hulling, Joe Felder, Steve Broidy, Leon Fromkess, treasurer; Edward Silverman and Sidney Spiegel of Essaness Circuit, Chicago; Edward A. Golden, vice-president in charge of distribution; George W. Weeks, general sales manager; Joseph A. Kehoe, Howard Stubbins and Manny Reiner.

# Coal Strikes Force Closing of 20 House

Cincinnati, May 7.—Approx mately 20 theatres in the smaller ations in the Kentucky and West ginia coal fields have closed to da because of the soft coal miners' strik which is said to have created t worst economic condition in the areas in many years.

Some local exchanges, serving t affected districts as part of the Ci cinnati trade territory, have wit drawn their salesmen. Others co template similar action. It is pr dicted that at least 20 to 30 adc tional small houses will be compell to go dark unless strike is settled soo

Larger houses, with adequate fina cial reserves, are continuing to o erate, although reporting grosses c as much as 50 per cent.

Even after a settlement is reache and the miners return to work, it believed that it will be several mont before conditions again become su ficiently normal to expect any appr ciable resumption or increase in th atre business.

## *Seizure of Nazi Film In Montreal Probe*

Montreal, May 7.—Seizure he of a Nazi film, "Pour le Merite," under investigation by the Attorn General's Department, according the Provincial Police. Raiding t Harmonia Club a few nights ago t police stopped the film after one re had been shown and seized it. N arrests were made.

About 200 people were present the showing, invited by the Germ Consul. A glorification of the Na revolution in Germany, police call the film totalitarian propaganda. flimsy love angle is worked into t film against the background of t rise of the Nazis. Police made t seizure on the ground the film had n passed by the board of censors and t club held no license to charge admi sions for motion picture showings.

## *Ira Furman Funeral In San Francisc*

San Francisco, May 7.—Fune services were held here Friday f Ira Furman, 45, former M-G-M bran manager here, who died Wednesda He was given a leave of absence a fe weeks ago because of illness, wi Langdon C. Wingham of Seattle a pointed branch manager.

Mrs. Furman and Mrs. Thomas A pell, wife of the M-G-M office ma ager here, are accompanying the bo to Punxsutawney, Pa., for burial. brother, A. P. Furman, resides Port Chester, N. Y.

## *Firm to Distribute Music Title Short*

Hollywood, May 7.—Formation Contestnite Corp., which will distri ute musical short subjects to be us in connection with "You Title t Song" contests, is announced by L. Alperson and C. C. Ezell. S subjects already have been complet

DO NOT REMOVE

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# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

45. NO. 89 NEW YORK, TUESDAY, MAY 9, 1939 TEN CENTS

## Dual Features Are Defended By Montague

### Calls Exhibitors Guided By Patrons' Preference

ATLANTIC CITY, May 8.—Defending ouble featuring as a policy best determined by the individual exhibitor ith an eye to the preferences of his wn patrons, Abe Montague, Columia general sales manager, told the pening session of the company's eastrn sales meeting at the Ritz-Carlton ere today that the company would ontinue to make a place in its proluction schedule for product adapted or use on double feature programs.

The first of Columbia's three regional sales meetings is being attended y about 125 home office executives, oreign department representatives, ranch managers and salesmen from 6 eastern and southern exchanges. ubsequent meetings will be held in hicago and San Francisco.

"Because of the question asked so nany times as to Columbia's stand on ingle and double features," Montague, who is presiding at the meeting, old the sales force, "we wish to state hat we have operated successfully

(Continued on page 4)

## Fair, Fleet, Heat Blow to Broadway

Broadway suffered its most serious ump in many weeks over the weekd with both film houses and legimate stage theatres doing badly at e box-office. Midsummer temperares, the World's Fair and the U.S. leet were generally regarded as the ontributing factors. First run houses eported business at 40 to 50 per cent elow normal, with some estimating rosses at 60 per cent below.

Five legitimate stage shows went ff the boards Saturday, leaving 23. Oscar Wilde" closed after 246 perrmances, "The Gentle People," after 41, "The White Steed," after 136, Set to Music" after 129, and Wuthering Heights," after 12. None f the shows played to capacity last eek.

There are no openings set for this eek, although two or three additional lays may bow in before the end of the month.

"Rose of Washington Square" got ff to a good start at the Roxy with iore than 60,000 seeing the film in the rst three days. "Streets of New ork" grossed an estimated $6,400 at e Globe in its week there.

### *Television Screen Biggest in World*

**London, May 8.—New Victoria Theatre, London, Gaumont British house, has just been equipped with the world's largest television screen, 20 x 15 feet, compared with previous installations, 15 x 12'. Twelve houses are being equipped for the telecast of the Epsom Downs Derby May 24.**

## Poll By MPTOA Reveals Industry Is Behind Code

CHICAGO, May 8.—All regional exhibitor organizations affiliated with the M.P.T.O.A. favor immediate acceptance of the trade practice proposals in their present form rather than reject the program pending further negotiations, Ed Kuykendall, M.P.T.O.A. president, said here.

Kuykendall recently completed a poll of the M.P.T.O.A. affiliates by mail to determine their attitude toward the proposed industry code for the guidance of the national organization. Presumably, the result of the poll automatically becomes the policy of the M.P.T.O.A.

All units, Kuykendall said, expressed themselves as favoring a policy which would permit them to take ad-

(Continued on page 8)

## Enough Television Deals for Present, Says J. H. Whitney

Despite an active interest in television, John Hay Whitney told reporters on his arrival in New York from England on the *Queen Mary* yesterday that he is not making any further investment in the new enterprise "for the present."

Whitney said he spent most of his two weeks in London observing television activities. He recently purchased $50,000 of convertible notes of DuMont Laboratories, in which Paramount has a large interest.

James Roosevelt, vice-president of Samuel Goldwyn, Inc., arriving on the same boat, was met by his mother, Mrs. Franklin D. Roosevelt, his wife and two daughters. Joseph M. Schenck, at the pier to meet Mrs. Ruth Selwyn, also greeted young Roosevelt.

The Goldwyn executive said that his trip was "mostly" in the interests of "Wuthering Heights" engagements abroad. He said he saw Alexander Korda in London and met the United Artists European representatives in Paris. He leaves for the coast by plane today to attend the closing sessions of the United Artists sales convention and will remain there for two or three weeks.

Whitney, who leaves for the coast next Saturday or Sunday by plane, said that Selznick International's new United Artists distribution deal would be closed in Hollywood within a short time.

## U A Appoints Schlaifer and Gold as V.P.'s

### *Silverstone Announces 3 Million Ad Budget*

LOS ANGELES, May 8.—Harry L. Gold, eastern general sales manager of United Artists, and L. J. Schlaifer, western general sales manager, have been elected to vice-presidencies of the company, it was announced by Murray Silverstone, U. A. chief executive, at the company's 20th anniversary sales convention, which opened at the Ambassador here today.

Harry Gold

The announcement climaxed an address in which Silverstone traced the history of the company from its formation 20 years ago, praised the sales staff for its "herculean achievement" during the present season and pledged a steady supply of top grade product—28 to 32 pictures for 1939-'40 — for the future.

L. J. Schlaifer

Stressing the point that his is a policy of no secrets, Silverstone defined the contractual status of the owner members of United Artists, Mary Pickford, Douglas Fairbanks, Charles Chaplin, Sam Goldwyn, Alexander Korda, and the contributing producers, David O. Selznick, Hal Roach, David Loew, Walter Wanger, Sol Lesser and

(Continued on page 8)

### *$25,000,000 Budget*

**Hollywood, May 8.—United Artists' producers will spend $25,000,000 on a total of 28 to 32 pictures for the new season, it was disclosed at company's sales convention today.**

## *Late News Flashes*

KANSAS CITY, May 8.—Banning of "Confessions of a Nazi Spy" is asked by a petition signed by 93 persons submitted to city officials. Showing continues until censors' appeal board acts.

•

Louis B. Mayer, M-G-M vice-president and production chief, arrives Thursday for conferences with Nicholas M. Schenck, president. Mayer is in Louisville. Howard Strickling, coast publicity head, preceded Mayer here.

•

HOLLYWOOD, May 8.—Jean Hersholt has signed a new long term contract with RKO, for three major features a year, in a deal closed between George Schaefer, RKO president, and Stephens-Lang Productions, Inc. Hersholt will continue in the "Dr. Christian" stories. William Stephens, president of Stephens-Lang, will produce. Howard Lang is vice-president, Henry Herzbrun secretary.

•

ALBANY, May 8.—Assemblyman A. L. Moffat's bill protecting fair and true reports of news broadcasts from libel actions and recoveries was signed today by Governor Lehman. It passed both houses last month without debate.

•

Alfonso G. Merlet of the important Italo-Chilena circuit, in Chile, is here as an emissary of his government which is subsidizing Chile's first sound studio at Santiago.

# N. Y. Allied to Ask New Trade Code Negotiating Group

Allied of New York will advocate the naming of a new negotiating committee to represent national Allied in whatever future negotiations on the industry trade practice code may be initiated by either distributors or exhibitors, it was stated yesterday at the organization's headquarters here.

In all probability the matter will be aired at the New York unit's open forum on the trade practice code on May 25 in connection with New York Allied's convention at the Astor.

Local Allied leaders point out the national organization will be without official representation if new negotiating sessions are initiated soon, a move which the distributors' committee recently indicated might be necessary in order to discuss final arbitration proposals or changes in the present code draft. The official status of the Allied negotiating committee expired March 1.

Even though there may be no need for further negotiations, the local unit believes a new committee should be designated if only as evidence that national Allied holds the trade program in the same good faith as distributors who have offered to continue negotiations on it with exhibitors.

# Towne Becomes Producer at RKO

Hollywood, May 8.—Gene Towne, screen writer, has signed an agreement with President George Schaefer of RKO by which he becomes an independent producer with four pictures scheduled annually.

Production of his first film will start May 15. Graham Baker, former First National production head and Towne's writing partner for the past five years, will be vice-president of the new producing unit. The unit will be known as "The Play's the Thing Productions."

## *Columbia Gets Writ In 'Island' Action*

N. Y. Supreme Court Justice Bernard L. Shientag has issued a temporary injunction pending trial which restrained International Road Shows, Inc. and "John" and Bert Goldberg from using the title "Escape from Devil's Island" for its picture previously called "Broken Melody."

Columbia had filed suit, in which it applied for the injunction, claiming to have released a film of the same title in November, 1935, based on a story purchased from Fred DeGresac.

## *Slesinger Returns*

Stephen Slesinger, publisher's representative, has returned to New York. Slesinger has been in Hollywood for the past two months discussing with executives of M-G-M, Paramount, Sam Goldwyn and RKO, the sale of the film rights to Zane Grey's novel, "The Life of George Washington." Samuel Goldwyn was reported the highest bidder.

# *◂ Purely Personal ▸*

HARRY M. WARNER, president of Warners, is due here tomorrow with Mrs. Warner.

•

J. Cheever Cowdin, Louis B. Mayer and Major Albert Warner among those at the Kentucky Derby in Louisville Saturday. Also Don Ameche, George Raft, Al Jolson, David Butler, Bill Conselman, Mary Brian, Edmund Lowe, John Hertz, Herbert Bayard Swope, Herbert M. Woolf of Kansas City, Charles E. McCarthy, Rodney Bush, A. C. Blumenthal, Neil McCarthy and Mr. and Mrs. John Balaban of Chicago.

•

Marion Anderson, Negro singer who will participate in the "Young Mr. Lincoln" premiere at Springfield, Ill., Memorial Day, will also be at the Hollywood premiere June 2.

•

Alfred N. Sack, general manager of Sack Amusement Enterprises, Dallas, has arrived on the coast for two weeks of conferences with producers.

•

Walter Damrosch will be interviewed today prior to his departure for Hollywood to appear in a Paramount film.

•

Ira Genet is starting a new series of 10 short subjects, "Color Parades," here. Gerald J. Marfleet will be at the camera.

DOUGLAS FAIRBANKS, SR., his wife, are scheduled to sail on the *Queen Mary* tomorrow. Also Constance Bennett and Frederick Lonsdale, playwright.

•

Frank Donovan, RKO Pathe production manager, is back from Livingston Manor where he arranged a Sportscope featuring skeets champions.

•

J. J. Nolan, assistant secretary of RKO studios in charge of commitments, arrived yesterday for a two-week vacation. At one time he was at the home office.

•

Robert Florey, Paramount director, arrives on the *Ile de France* tomorrow. Also Duke Ellington and his orchestra and Flora Mahieu, actress.

•

John Payne, Warner player who has been making personal appearances in the east and midwest, left New York yesterday for the studio.

•

Henry Fonda, having finished "Young Mr. Lincoln," is in New York on first leg of vacation to Europe.

•

Edmund Goulding, Warner director, will leave the coast in a few days for a New York vacation.

•

Dalies Frantz, concert pianist, has been signed to a contract by M-G-M.

## *Legion Approves 11 Of 12 New Pictures*

National Legion of Decency approved 11 of 12 films reviewed and classified this week. Four were found unobjectionable for general patronage, seven unobjectionable for adults and one objectionable in part. The films and their classifications follow:

Class A-1, Unobjectionable for General Patronage—"Code of the Secret Service," "Fixer Dugan," "Romance of the Redwoods," "Sorority House." Class A-2, Unobjectionable for Adults—"Boys' Reformatory," "Heroes of the Marne," "Outside These Walls," "Stolen Life," "Three Waltzes," "Torchy Blane Runs for Mayor," "Wanted by Scotland Yard." Class B, Objectionable in Part—"The Curtain Rises."

## *Beck Heads Eastern Office for Birdwell*

Myer P. Beck, formerly publicity manager for United Artists, has been appointed eastern representative for Russell Birdwell and Associates of Hollywood. He will open offices soon. Among talent handled by the firm are Norma Shearer, Douglas Fairbanks, Jr., Loretta Young and Edmund Goulding.

## *Monogram Men Return*

New York delegation to Monogram's Chicago convention returned yesterday with the exception of W. Ray Johnston, president, and George W. Weeks, vice-president in charge of sales. Weeks will stop at several mid-western exchanges and Johnston will spend several days at Waterloo, Ia., his home town.

## *Film Carriers Unit Has Election Today*

Annual report and a discussion of rates and tariffs by Harold Schertz, attorney, occupied the opening day of the sixth annual convention of Film Carriers, Inc., national organization of film shippers, at the Park Central Hotel yesterday. A number of committees were appointed.

Today's morning session will consider routine matters and will be followed by the annual luncheon. Elections will be held in the afternoon and the convention will wind up Wednesday morning.

## *Bernie Resigns from NY Selznick Agency*

Herman Bernie has resigned as head of the New York office of Myron Selznick agency. He will remain in charge a week or two to dispose of pending matters and then plans a long rest. His future plans are not definite, but he may return to the agency business on his own. Bernie operated his own agency before joining Selznick.

## *Report to AAAA*

Board of Associated Actors & Artistes of America met yesterday to hear a report of a committee investigating conditions in American Federation of Actors. No statement was made after the meeting.

## *Calgary Leads Drive*

RKO Radio's Detroit branch has relinquished its leadership among the 38 exchanges in the George Schaefer drive to the Calgary branch under the management of H. F. Taylor.

# 41 New Pictures Before Cameras; Editors Cutting 5

Hollywood, May 8.—Forty-one p
tures were before the cameras t
week as eight started and seven f
ished. Twenty-two are being
pared, and 57 are in the cutting ro

Started were: "The Wome
M-G-M; "Timber Stampede," RK
"Mickey the Kid," "In Old Calient
Republic; "Nancy Drew and the H
den Staircase," "Dead or Alive," W
ners; "Modern Cinderella," Univers
"Miracle of Main Street," Arcad
Grand National.

In addition to these, shooting wer
"Good Girls Go to Paris, Too," "M
Smith Goes to Washington," "Gold
Boy," "Coast Guard," "Parents
Trial," Columbia; "Music Schoo
"The Real Glory," Goldwyn; "T
Cat and the Canary," "Heaven on
Shoestring," "The Star Make
"Homework," "Disputed Passag
"Our Leading Citizen," Paramou
"Way Down South," Principal-RK
"Memory of Love," "Career," RK
"Mountain Rhythm," Republic; "Go
with the Wind," Selznick-U.
"Charlie Chan at Treasure Islan
"The Rains Came," "The Jones Fa
ily at Grand Canyon," "Elsa Ma
well's Hotel for Women," 20th Ce
tury-Fox; "In Old California," "T
Phantom Creeps," Universal; "W
ter Carnival," Wanger-U.A.; "T
Old Maid," "Dust Be My Destin
"The Hobby Family," "Not Wante
Warners.

Finished were: "The Man fr
Sundown," Columbia; "Andy Har
Gets Spring Fever," M-G-M; "G
from Nowhere," Monogram; "Ger
imo," Paramount; "Second Fiddl
20th Century-Fox; "The Sun Ne
Sets," "Inside Information," Univers

M-G-M started one short subje
and RKO and Warners each finish
one. Four are being prepared, a
14 being edited.

## *Exhibit Preview*

A press preview will be held t
day of the exhibition, "Art in O
Time," in the new building of t
Museum of Modern Art, 11 W. 53
St. Films are represented in the e
hibit.

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# WOMEN LIKE

# Bergner

At the Four Star Theatre in Los Angeles, women have applauded, wept at this greatest of all Elisabeth Bergner's emotional triumphs. They have told their friends of the power, the heart thrilling appeal of this mighty love drama. Their friends, in turn, have poured into the theatre. Day after day the grosses have risen, to this sensational London hit, another tremendous Paramount success. Here are the figures for the first five days . . . .

| | |
|---|---|
| Opening Day . . . . . . | $575 |
| Second Day . . . . . . . | $582 |
| Third Day . . . . . . . | $675 |
| Fourth Day . . . . . . . | $824 |
| Fifth Day . . . . . . . | $904 |

*These figures certified by Certified Public Accountants.*

**Book this Paramount release now—**

Orion Productions Limited present

**Elisabeth Bergner · Michael Redgrave**

in

**"STOLEN LIFE"**

Produced & Directed by Paul Czinner

**and get the women into your theatre**

Paramount Pictures

### Fun for Poor Boys At Griffith's Farm

**Dallas, May 8.—Mercello Farms, near Belton, owned and operated by R. E. Griffith of the Griffith theatres, has been turned over to the Dallas Variety club as a camp for underprivileged boys. The first group of youngsters—20 of them—will enter the camp June 1 for two weeks. The camp will continue through August.**

## Republic Is Host To Circuit Heads

San Francisco, May 8.—Republic played host here today to a number of San Francisco circuit heads and other exhibitors at a luncheon at the Empire Hotel in conjunction with its western regional sales meeting. The meeting, last of a series, ends tomorrow.

Among those at the luncheon were Arch N. Bowles, Northern California division head for National Theatres, and Charles Thall of the circuit; R. A. McNeil and M. A. Naify of Golden States Circuit; Morgan Walsh and George Mann, Redwood circuit; Rotus Harvey, Joseph Blumenfeld, George Nasser of Nasser Bros. and Sam Levin of San Francisco Theatres.

### Quiz of Sussman Is Upheld by NY Court

Examination before trial of William Sussman, eastern division manager of 20th Century-Fox, which requires him to produce blueprints, plans, leases and inventory of films of the 20th Century-Fox film storage plant in Little Ferry, N. J., was upheld by the Appellate Division of the N. Y. Supreme Court yesterday.

Order for the examination was issued by Justice Aaron J. Levy in connection with a $60,000 damage suit brought by Anna Greeves and George Greeves, individually and as administrators of the estate of John Greeves, charging the defendant with negligently causing a fire at the plant on July 9, 1937.

### Hears 'Snow White' Plea

N. Y. Supreme Court Justice Louis A. Valente yesterday reserved decision on an application of Adriana Caselotti and Harry Stockwell for an examination before trial of Walt Disney Productions, Ltd., and RCA Mfg. Co. Plaintiffs, "voices" for "Snow White" and the "Prince" in "Snow White and the Seven Dwarfs," charged unauthorized use of the sound track for phonograph recordings.

### Funds for Refugees

The committee handling funds collected by the Motion Picture Art Fund for German refugees has distributed $3,500 each to American Jewish Joint Distribution Committee, Committee for Catholic German Refugees, and the American Committee for Christian German Refugees.

## Hollywood Review

### "Invitation to Happiness"

*(Paramount)*

Hollywood, May 8.—Directed by Wesley Ruggles at the peak of a brilliant career, "Invitation to Happiness" is just what the title declares it to be. It is addressed particularly to intelligent people of adult understanding, but it also contains a thrilling prize-fight climax which even the uninformed can comprehend. It is, first, last and always, a love story, excellently told.

Irene Dunne plays in impressive manner a daughter of wealth who, in 1927, meets and marries a young pugilist, Fred MacMurray, against his trainer's wishes and without notifying her father, who ultimately approves the match. Training rules against feminine association for fighters enforces long separations of husband and wife and when their son is 10 years old his antagonism toward his father brings about a divorce. The boy is given into his father's care for six months and the boxer's eagerness to win his affection interferes with his training for a title bout to such an extent that he is beaten. His ring hopes blasted, son and wife welcome him back in a happy but not sappy ending. Charlie Ruggles plays the trainer, a serious role, and William Collier, Sr., plays the father. MacMurray turns in his best performance to date.

The screenplay by Claude Binyon, from a story by Mark Jerome, is solidly constructed, strong in understatement and lively in the action stretches, excellent as to dialogue at all times. Treatment throughout is for drama, with only moderate attention to comedy, and appeal is primarily to the mature.

Running time, 95 minutes. "G."* Roscoe Williams

---

*"G" denotes general classification.

### Lesser to Withdraw From Principal Post

Hollywood, May 8.—By Sept. 1 Sol Lesser will have withdrawn as executive producer of Principal Productions, in which he will still maintain his financial interest, to devote his time to Sol Lesser Productions, Inc., and Ernst Lubitsch Corp., of which he is president. The Lesser-Lubitsch firms will release through United Artists.

Barney Briskin, associate producer at Principal, will become executive producer, supplanting Lesser.

### Chemical Bank Asks RKO Case Allowance

Chemical Bank & Trust Co., as trustee under the RKO collateral notes of indenture, has filed a petition in the reorganization proceedings seeking an allowance of $34,375 fees and $4,025 disbursements for services from Jan. 27, 1933, to April 30, 1939.

Wright, Gordon, Zachary & Parlin, the bank's attorneys, seek $22,500. Previously, the bank and its attorneys each received $10,000 for service.

### Clerical Union in Drive

Bookkeepers, Stenographers & Accountants Union has started organization of clerical employes at the warehouse of Vitagraph, First National and Globe Importing, Warner subsidiaries. Negotiations were begun yesterday for union recognition. Ralph Budd and Jules Levey represented Warners and Edward K. Flaherty represented the union.

### Defeat Daylight Time

Madison, Wis., May 8.—The second bill in the state legislature to repeal the law prohibiting daylight savings time has been killed in the senate.

### Film Financing Suit Settled Out of Court

London, May 8.—Westminster Bank suit against several insurance companies involving film financing was settled out of court unexpectedly today. Terms were not disclosed.

It was pointed out that continuation of the litigation would have involved several courts and it undoubtedly would have gone on for several years.

### Para. Convention Closes in London

John W. Hicks, Jr., in charge of Paramount's foreign department, has received a cabled summary of the Paramount sales convention just ended in London. Many films were shown, including DeMille's "Union Pacific," Wesley Ruggles' "Invitation to Happiness," and "Grand Jury Secrets." Shots from other pictures also were screened.

### Churchill Must Testify

Edward J. Churchill, individually and as president of Donahue & Coe, Inc., has been ordered to testify before trial by N. Y. Supreme Court Justice Philip J. McCook on application of Edward J. Pfeiffer, plaintiff in a $100,000 damage suit against Donahue & Coe and Churchill, involving the "Movie Quiz."

### Roy C. Seery Dies

Santa Monica, May 8.—Roy C. Seery, 62, formerly active in the formation of First National, who retired from business 10 years ago, died at his home here after an illness of two years. Funeral services were held today. He is survived by his widow, a daughter and a son.

### Wanger Sends 128 Scripts to Library

**Hollywood, May 8.—Walter Wanger has sent 128 scenarios, contributed by every studio in Hollywood, to the Irving Thalberg Memorial Screen Library at Dartmouth, endowed, with a screen writing course, by Wanger tw years ago.**

## Montague Backs Double Featur

(Continued from page 1)

where either exhibition policy has p vailed.

"If it is the exhibitor's policy to r single features, we will cooperate w that individual to help him make success of that policy. And if he p fers double features, again we will operate to aid him in this policy. believe that single features may successful where such a policy is cepted, and that is equally true double features. In any event, it not Columbia's policy to tell exhi tors how to operate their theatr We want the privilege of produci and distributing without unreasona interference, and we believe the hibitor has an equal right to cond his business without unfair interf ence."

Recalling that an executive of major company recently criticized e hibitors who advocate double featur Montague urged that "personal id be tested first before they are urg on exhibitors" and publicly circulat

"When a single bill policy was tri out recently in the circuit with whi that executive is associated," Mo tague said, "it proved a failure a the circuit went back, with great fa fare, to double features. In fact, brought out a new form of advertisi calling double bills by the new na of 'twin' bills."

Columbia's production plans for t new season will be outlined by Mo tague tomorrow. The meeting w conclude Thursday.

### Jeff Kibre Seeks Quiz on His Arre

Los Angeles, May 8.—Jeff Kib minority leader of Studio Technicia Local 37, I.A.T.S.E., today demand an investigation of his arrest Saturd without a warrant. Members of t local paid his $50 fine today and was released from jail.

Kibre was booked first for failu to pay a fine for contempt of co and later on suspicion of crimi syndicalism. His attorney obtain his release on the latter charge by habeas corpus writ, which is retur able tomorrow.

Trial of the suit for control of Lo 37, which is in dispute with Intern tional officers, is set for May 22.

### Joseph Silver Jubilee

Nate J. Blumberg, Universal pre dent, has sent out invitations to t silver jubilee cocktail party whi takes place May 23, at the Ne Haven exchange. Morris Joseph's years of service with the compa will be celebrated. Joseph is bran manager.

# Vuthering’ $32,500 for 2 Hub Spots

3oston, May 8. — “Wuthering ights” and “Kid from Texas” took ng $19,000 at Loew’s Orpheum, 13,500 at the State, for a total $32,500.

The Story of Vernon and Irene stle” dualing with the “Spirit of lver” at Keith Memorial drew ,500.

Estimated takings for the week end- May 3:

**hite Woman” (Para.) (reissue) (7 days, with vaude.)**
**hispering Enemies” (Col.) (2nd run) days with vaude.)**
**auty for the Asking” (RKO) (2nd run) days)**
KO KEITH BOSTON—(3,000) (20c-30c- Gross: $10,000. (Average, $8,500)
**e Story of Vernon and Irene Castle” KO)**
**irit of Culver” (Univ.)**
EITH MEMORIAL—(2,790) (25c-35c-40c- 7 days-2nd week. Gross: $16,500. erage, $15,000)
**dge City” (W.B.)**
**rdon Our Nerve” (20th-Fox)**
ARAMOUNT—(1,797) (25c-35c-40c-55c). 7 s. Gross: $8,500. (Average, $8,500)
**dge City” (W.B.)**
**rdon Our Nerve” (20th-Fox)**
ENWAY — (1,382) (25c-35c-40c-55c). 7 s. Gross: $5,500. (Average, $5,500)
**rk Victory” (W.B.)**
**dden Money” (Para.)**
ETROPOLITAN — (4,332) (25c-35c-40c- 7 days. 2nd week. Gross: $21,000. erage, $14,500)
**uthering Heights” (U.A.)**
**d from Texas” (M-G-M)**
EW’S ORPHEUM—(2,907) (25c-35c-40c- 7 days. Gross: $19,000. (Average, 500)
**uthering Heights” (U.A.)**
**d from Texas” (M-G-M)**
EW’S STATE—(3,537) (25c-35c-40c-55c). ays. Gross: $13,500. (Average, $10,500)
**e Lady’s from Kentucky” (Para.)**
**agecoach” (U.A.)**
COLLAY — (2,000) (25c-30c-40c-50c). 7 s. 2nd run. Gross: $7,000. (Average, 00)

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# ell’ at $12,500 Cincinnati Lead

CINCINNATI, May 8.—“The Story Alexander Graham Bell,” with ,500 at the RKO Albee, was top sser in an otherwise fair week.

Confessions of a Nazi Spy” showed ong business at RKO Palace.

Estimated takings for the week ling May 4-6:

**e Story of Alexander Graham Bell” (20th-Fox)**
KO ALBEE—(3,300) (35c-42c) 7 days. ss: $12,500. (Average, $12,000)
**n From Missouri” (Para.)**
KO PALACE—(2,700) (35c-42c) 4 days. ss: $3,900. (Average, 7 days, $10,000)
**nfessions of a Nazi Spy” (W. B.)**
KO PALACE—(2,700) (35c-42c) 3 days. ss: $4,500. (Average, 7 days, $10,000)
**an of Conquest” (Rep.)**
KO SHUBERT—(2,150) (35c-42c) 7 days. ss: $7,000. (Average, $10,000)
**ark Victory” (W. B.)**
KO CAPITOL—(2,000) (35c-42c) 7 days. week. Gross: $4,800. (Average, $6,500)
**ast Side of Heaven” (Univ.)**
KO LYRIC—(1,400) (34c-42c) 7 days. week. Gross: $5,500. (Average, $5,000)
**idright” (Para.)**
KO GRAND—(1,200) (25c-40c) 7 days. week. Gross: $2,650. (Average, $2,750)
**ing of the Underworld” (W. B.)**
**sky Business” (Univ.)**
KO FAMILY—(1,000) (20c-30c) 4 days. ss: $1,300. (Average, $1,500)
**welve Crowded Hours” (RKO)**
**ndercover Agent” (Mono.)**
KO FAMILY—(1,000) (20c-30c) 3 days. ss: $850. (Average, $900)
**nobia” (U. A.)**
EITH’S—(1,500) (30c-40c) 7 days. ss: $5,600. (Average, $6,000)

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# *Out Hollywood Way*

HOLLYWOOD, May 8.—LEE YA-CHING, young Chinese aviatrix, has been signed by Paramount to support DOROTHY LAMOUR in “Disputed Passage,” from the LLOYD C. DOUGLAS novel. . . . HOWARD HILL, world champion archer, has returned after two months in the Cape San Lucas Islands with material for two two-reel short subjects. . . . Warners has elevated GEORGE AMY, film cutter, to director and given him “The Return of Dr. X,” BORIS KARLOFF vehicle, as his first assignment. . . . ANNE NAGEL and WARREN HULL draw the leads in Monogram’s “Girl from Nowhere.” . . .ROBERT YOUNG gets one of the principal roles in “Guns and Fiddles,” with HEDY LAMARR, ROBERT TAYLOR and MILIZA KORJUS at M-G-M. . . . BASIL RATHBONE and DONALD CRISP are set for important roles in “The Knight and the Lady,” Warners.

✚

Warners is considering making a picture, “Girls Without Names,” dealing with a girls’ reformatory. MARGARET LINDSAY, JANE WYMAN, JANE BRYAN and ROSELLA TOWNE are being considered for roles. . . . “Dude of Antwerp,” produced in French by PIERRE CHENAL, will be remade in English as the third BORIS MORROS production. . . . SAMUEL GOLDWYN has lent ARCHIE MAYO to WALTER WANGER for direction of “House Across the Bay,” JOAN BENNETT’S next vehicle. SARAH Y. MASON and VICTOR HEERMAN are writing the screenplay, based on a story about the wives of Alcatraz Island prisoners. . . . MAX STEINER will compose, arrange and conduct the musical score for Selznick’s “Gone With the Wind.”

✚

*Casting*—KAY JOHNSON and REGINALD OWEN to “The Real Glory,” and ARTHUR HOHL, MARJORIE MAIN and PAUL HARVEY to “Music School,” both Goldwyn. . . . ZASU PITTS to “The Life of Edith Cavell,” which HERBERT WILCOX will produce in Hollywood for RKO. . . . JOSEPH SAWYER to “On Borrowed Time,” M-G-M. . . . RALPH MORGAN to “Way Down South,” Lesser-RKO. . . . ONA MUNSON to “Gone With the Wind,” Selznick. . . . JOYCE COMPTON to “Elsa Maxwell’s Hotel for Women,” 20th Century-Fox. . . . KENNETH HARLAN to “Lawful Outlaws,” Sherman-Paramount. . . . GORDON JONES to “Disputed Passage,” Paramount. . . . HENRY KOLKER to “The Real Glory,” Goldwyn. . . . JEFFREY LYNN will play the title role in “Nathan Hale,” Warners’ patriotic short. . . . LAURA HOPE CREWS to “The Star Maker,” Paramount. . . . EMMA DUNN and ALAN MOWBRAY to “The Double Dyed Deceiver,” Sherman-Paramount. . . . PEGGY ANN GARNER, six-year-old Los Angeles girl, makes her film debut in “Memory of Love,” RKO. . . . BARBARA BEDFORD, silent screen star, has been given a role in “Andy Hardy Gets Spring Fever,” M-G-M. . . .DENNIE MOORE to “The Women,” M-G-M. . . . ZASU PITTS to “Stand Up and Sing,” which will be directed by ARTHUR LUBIN at Republic.

✚

*Writers*—G. A. DURLAM is writing the screenplay for the first of the JAMES DUNN vehicles, “Kid Racketeers,” which SAM KATZMAN of Victory Pictures will produce. . . . VICKI BAUM is writing a screen treatment of her story, “Forgotten Girls,” for Republic. . . . GEORGE O’NEIL, playwright and novelist, has been signed by Selznick International to do the final draft of the “Intermezzo” script.

✚

*Directors*—NATE WATT will direct “Argentina,” Hopalong Cassidy picture which HARRY SHERMAN will produce for Paramount. . . . NOEL SMITH will guide the next picture in the Warner Secret Service pictures, as yet untitled.

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# ‘Castles’ Scores Well in Detroit, Grossing $24,000

DETROIT, May 8.—“The Castles” with Xavier Cugat on the stage topped local takes with $24,000. “Dark Victory” and “Within the Law” did $9,000 at the Palms-State. Second week of “The Hardys Ride High” at the United Artists took $10,000.

Estimated takings for the week ending May 4:

**“Romance of the Redwoods” (Col.)**
**“Winner Takes All” (20th-Fox)**
ADAMS—(1,700) (20c-40c) 7 days. Gross: $4,500. (Average, $5,000)
**“The Castles” (RKO)**
FOX—(5,000) (20c-65c) 7 days. Stage, Xavier Cugat and Band. Gross: $24,000. (Average, $20,000)
**“Sergeant Madden” (M-G-M)**
**“The Lady’s From Kentucky” (Para.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $12,000. (Average, $10,000)
**“Dark Victory” (W. B.)**
**“Within the Law” (M-G-M)**
PALMS-STATE—(3,000) (20c-50c) 7 days. Gross: $9,000. (Average, $5,000)
**“The Hardys Ride High” (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days, 2nd week. Gross: $10,000. (Average, $10,000)

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# *‘Pacific’ in 2 Omaha Houses Hits $27,400*

OMAHA, May 8.—“Union Pacific,” which had its world premiere here, responded with a gross of $27,400 from two houses for the week. The Omaha had a smash $18,400, the Paramount $9,000.

“Dark Victory” held up splendidly in the second week at the Brandeis with $6,000. “Broadway Serenade,” dualed with “Within the Law,” did $9,000 at the Orpheum.

Estimated takings for week ending May 3-4:

**“Dark Victory” (W. B.)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)
**“Union Pacific” (Para.)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $18,400. (Average, $6,000)
**“Broadway Serenade” (M-G-M)**
**“Within the Law” (M-G-M)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $9,000. (Average, $7,600)
**“Union Pacific” (Para.)**
PARAMOUNT—(3,000) (25c-40c) 7 days. Gross: $9,000.

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## *To Start Negro Film*

Domino Productions will start shooting on an all-Negro feature this week at the Biograph Studios. Arthur Leonard will direct the picture to feature Nina Mae McKinney.

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# ‘Smart Girls’ $21,300 in 2 L.A. Theatres

LOS ANGELES, May 8.—“Three Smart Girls Grow Up” and “The Lady and the Mob” at the Hillstreet and Pantages drew a fine total of $21,300, with $10,300 at the Hillstreet and $11,000 at the Pantages. “Stolen Life” was strong at the 4 Star, with $6,100.

Estimated takings for the week ending May 3:

**“Let Freedom Ring” (M-G-M)**
**“Sergeant Madden” (M-G-M)**
CHINESE — (2,500) (30c-75c) 7 days. Gross: $7,800. (Average, $12,500)
**“Stolen Life” (Para.)**
4 STAR—(900) (40c-55c) 7 days. Gross: $6,100. (Average, $3,250)
**“Three Smart Girls Grow Up” (Univ.)**
**“The Lady and the Mob” (Col.)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $10,300. (Average, $6,500)
**“Let Freedom Ring” (M-G-M)**
**“Sergeant Madden” (M-G-M)**
LOEW’S STATE—(2,500) (30c-75c) 7 days. Gross: $10,500. (Average, $14,000)
**“Three Smart Girls Grow Up” (Univ.)**
**“The Lady and the Mob” (Col.)**
PANTAGES — (3,000) (30c-65c) 7 days. Gross: $11,000. (Average, $7,000)
**“Union Pacific” (Para.)**
PARAMOUNT—(3,595) (30c-65c) 5 days. Stage: F. & M. revue, Judy Starr. Gross: $15,000. (Average, $18,000)
**“Wuthering Heights” (U. A.)**
**“Torchy Runs for Mayor” (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days, 2nd week. Gross: $9,500. (Average, $14,000)
**“Wuthering Heights” (U. A.)**
**“Torchy Runs for Mayor” (W. B.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days, 2nd week. Gross: $9,200. (Average, $12,000)

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# *‘Hardys’ Providence Leader with $12,500*

PROVIDENCE, May 8.—Loew’s State drew $12,500 with “The Hardys Ride High” and “Fighting Thoroughbreds.” “Alexander Graham Bell” and “The Jones Family in Hollywood” at the Majestic took $7,500. The Narragansett track is beginning to nick business.

Estimated takings for the week ending May 3-5.

**“The Hardys Ride High” (M-G-M)**
**“Fighting Thoroughbreds” (Repub.)**
LOEW’S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $12,500. (Average, $11,000)
**“Story of Alexander Graham Bell” (20th-Fox)**
**“The Jones Family in Hollywood” (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)
**“Story of Vernon and Irene Castle” (RKO)**
**“The Saint Strikes Back” (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $6,000)
**“The Lady’s From Kentucky” (Para.)**
**“Tom Sawyer, Detective” (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $5,300. (Average, $6,000)
**“You Can’t Get Away With Murder” (W. B.)**
FAY’S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,300. (Average, $6,500)
**“Three Smart Girls Grow Up” (Univ.)**
**“Inspector Hornleigh” (20th-Fox)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $3,500)

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## *Freeman in Pathe Post*

Mervyn Freeman, head cameraman, temporarily has been placed in charge of the west coast office of Pathe News. Peter Mayer, former editor, has resigned to do a documentary film in London with Herb Kline. Mayer will leave for London on the *Queen Mary* tomorrow.

# Look

# WHAT LOOK MAGAZINE DOES FOR COLUMBIA'S "ONLY ANGELS HAVE WINGS"!

**THEATRE MANAGERS and ADVERTISING MEN:**

Be sure to enter

**$4,000 PRIZE CONTEST**

for best campaign inclusive of advertising, publicity and exploitation on

**ONLY ANGELS HAVE WINGS**

—open to all!

LOOK'S *New Movie* PREVIEW

## ONLY ANGELS HAV

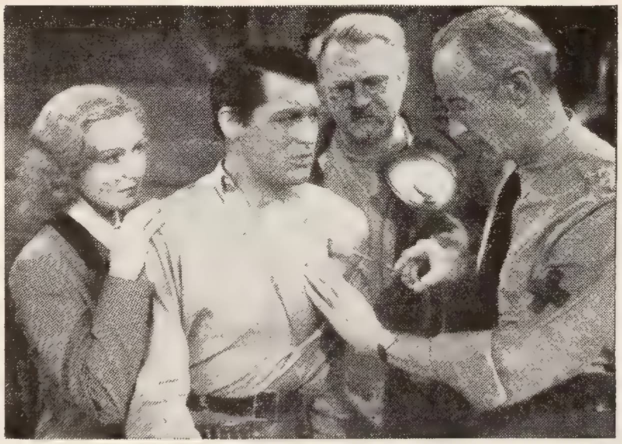
HOWARD HAWKS, one of whose hobb aviation, directed "Only Angels Wings," a romance of the air, for Columbia tures. It is based upon a story Hawks hi wrote. He has directed such aviation fil "Dawn Patrol," "Air Circus," "Ceiling Z

**1** Flying the mail across the Andes, Joe Souther encounters heavy fog and returns to his field in Ecuador, but his plane crashes in flames. Among the friends who mourn his death is Bonnie Lee, a New York show girl who recently has arrived in the banana port for a brief visit.

**2** To mask their grief, the other fliers get t
at a party, trying to be merry. Bonnie join
festivities, along with Geoff Carter, man
the little airport. Soon after midnight the f
and Carter leaves the party to fly the mai

**4** A new pilot arrives to take Joe's place. He is Bat McPherson, whom the other aviators soon recognize as a flier who once bailed out during a test flight and let his mechanic be killed. His wife, Judith, is a girl who jilted Carter in the United States. Carter has remained a bachelor.

**5** Bonnie seizes every chance to be close to
though his friends have warned her he is
terested" in women. One morning Judith a
nie meet in his quarters. Judith has come t
Carter for a favor he has done her since she



**7** An emergency arises and a dangerous flight must be made. Carter decides he is the one to go. When Bonnie tries to prevent him from risking his life, she accidentally shoots him. If the flight is not made, Carter will lose a government franchise on which he and the airport owner depend.

**8** McPherson volunteers, and Kid Daab
sight is failing, insists on going along, sa
knows the fogbound passes. When the plan
flock of condors the Kid is mortally injure
McPherson to jump and save himself.

Reproduced from Page 54—Look—May 23, 1939

# INGS

CAST OF CHARACTERS

| | |
|---|---|
| Y GRANT | GEOFF CARTER |
| N ARTHUR | BONNIE LEE |
| HARD BARTHELMESS | BAT McPHERSON |
| HAYWORTH | JUDY |
| MAS MITCHELL | KID DAAB |

On Carter's return, he is surprised to
Bonnie still in the city. He had told
good-by the night of the party, think-
she was leaving on the next boat. She
alling in love with the flier.

When Kid Daab, one of Carter's pilots,
ns the others are planning to quit be-
e of McPherson, he starts a fight,
king another flier's arm. This leaves
ter's force short-handed.

McPherson, however, risks death by
rning home with the damaged plane,
ch explodes as he lands. Before dying
Kid tells of McPherson's heroism.
v the pilots become his friends.

**10** After the fog lifts, McPherson makes the flight in another plane, saving Carter's franchise. Meanwhile, Bonnie, all packed to take the next ship, goes to bid Carter farewell, but says she will stay if he asks her. He flips a coin, calls "heads" and proposes. She is very angry until she learns the coin had "heads" on both sides.

★

## OPENING
## MAY 11TH

## RADIO CITY MUSIC HALL

★

## GENERAL RELEASE
## MAY 25TH!

★

**HOWARD HAWKS**
**PRODUCTION**
*starring*
CARY JEAN
**GRANT · ARTHUR**

## ONLY ANGELS HAVE WINGS

THOMAS MITCHELL
RITA HAYWORTH
RICHARD BARTHELMESS
Screen play by Jules Furthman
Story and Direction by
HOWARD HAWKS
**A COLUMBIA PICTURE**

Reproduced from Page 55—Look—May 23, 1939

# Hoblitzelle's Speech Opens Texas Meeting

Galveston, Tex., May 8.—Karl Hoblitzelle, head of Interstate Circuit of Texas, in his keynote address today at the Interstate and Texas Consolidated Theatres two-day convention here, stressed citizenship and the necessity of theatre managers being good citizens first.

More than 150 managers of the circuit and guests are attending. Lester Goldenson of the Paramount home office is representing Y. Frank Freeman, who will arrive tomorrow. Austin C. Keough, Paramount general counsel, also is due tomorrow from New York. E. V. Richards of the Saenger circuit, and R. B. Wilby of Wilby-Kincey circuit, Atlanta, are present.

Hoblitzelle urged all of his employes to exercise the right to vote, deeming it an important phase of citizenship.

## *Rebuttal at AMPA Set for Thursday*

Dr. J. S. List, consulting psychologist to NBC, who charged film advertising methods are outmoded, at a recent Ampa meeting, will hear rebuttal Thursday from Harry Goldberg, Warner circuit advertising head, and a distributor. Dr. List will defend his views.

A. Martini, veteran showman of Galveston, and Interstate partner, received a standing salute. John Maroney, Interstate's general counsel, gave his views on various decisions affecting the business.

## *Show Mexican Films*

A press showing of shorts produced by the Department of Press and Publicity of the Mexican Government was held yesterday at Lloyd's projection room. Rafael de la Colina, Consul General of Mexico, and Quintin Rueda, chief of the department, made introductory talks.

## *Preview on Ranger*

Flying officers of the *U. S. S. Ranger*, newest aircraft carrier, stationed here for the World's Fair, will be guests at a preview of Columbia's new Howard Hawks film, "Only Angels Have Wings," aboard the *Ranger* tonight.

# *U A Appoints Schlaifer, Gold as Vice Presidents*

(*Continued from page* 1)

Ernst Lubitsch, most of whom hold contracts expiring in September, 1945. Silverstone expressed regret at the exception of Selznick, who is affiliated on a shorter term arrangement.

Explanation of the producers' fund as a means of guaranteeing to producers of quality product commensurate profits was made by Silverstone to the salesmen for the purpose of imparting to them, he said, the type of confidence in the company which he feels. He explained the volume rebate provision of the producer fund mechanism as a device for encouraging producers to make more than a single picture each year, pointing out that under this system it is possible for as much as two-thirds of the profits of the corporation to be placed in the producer fund.

### No Personnel Changes

Spiking rumors of personnel changes, Silverstone declared that under the terms of his contract, which has more than four years to run, no changes can be made except by him or with his approval, flatly declaring that "there will be no changes."

Applause greeted Silverstone's announcement that U. A. will spend $3,000,000 for advertising and exploitation during the new season, averaging roughly $100,000 per picture. Last year's U. A. advertising budget was $1,500,000, to which was added $300,000 subsequently. Lynn Farnol, director of advertising and publicity, revealed after the morning session, that certain pictures, such as "Four Feathers," "Winter Carnival," "Intermezzo," "Rebecca" and "Music School" will be given concentrated exploitation.

### Sympathetic Toward Code

Silverstone said he is personally sympathetic toward the trade practice code but that the nature of the United Artists setup, in which each contributing producer has complete authority to accept or reject any contract for his pictures makes company adherence to the code impracticable. He forecast increasing importance of television as an entertainment factor but said the industry has no cause for alarm if it will arm itself with good pictures because it is in the nature of man to want to congregate with his fellows when seeking entertainment. Good pictures are also the cure for the double bill evil, in Silverstone's opinion.

Declaring the Neely Bill "is on the wrong track," Silverstone said, "You don't have to block book good pictures." Silverstone was followed by Harry Gold, who divulged statistics showing the increase in annual contract sales from 1935 to the present season, which set a new high in company history.

### Rewards Quota Winners

Jack Schlaifer closed the morning session with presentation of gold buttons and cash bonuses of $250 each to delegates who had sold 100 per cent or more of their quotas. These were M. Magill, Guy Gunderson, Richard Harrity, J. H. Nash, Mark N. Silver, Nat Nathanson, E. V. Donnelly, A. N. Keeper, E. A. Ashkins, Ray Wylie, Earl Collins, Harry Rees and F. M. Higgins.

The afternoon session was given over to the announcement of product. Delegates previewed "Four Feathers" tonight.

Mary Pickford, David O. Selznick, David Loew, Richard A. Rowland, Walter Wanger, William Wyler, Alfred Hitchcock and Leslie Howard were among the speakers at the session.

Now! Rotary Stabilizer PLUS NEW SHOCK PROOF DRIVE

Lead parade of features in New RCA PHOTOPHONE MAGIC VOICE of the SCREEN

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## *Two English Films Previewed for Fair*

Association of School Film Libraries has previewed two English documentaries, "The Londoners" and "New Worlds for Old," prior to their exhibition at the Science and Industry exhibit at the World's Fair. The former deals with work of rehousing London and providing necessary community services. The latter is a commercial for the gas industry.

Both are done in the manner of ". . . one third of a nation . . ." as produced by the WPA Theatre. Although several requests for the films have been received from commercial theatre interests, no arrangements have been made for release in this country.

## *Conciliation Board Set for Nova Scotia*

Halifax, May 8. — Conciliation board to deal with grievances arising in Nova Scotia has been decided upon as a result of meeting here among officials representing all branches of the industry. Bill passed by the Nova Scotia legislature this winter to regulate exchanges and prevent discrimination has not yet been proclaimed and may be held up if conciliation proves satisfactory.

The board will consist of eight members. Four will be chosen by independent exhibitors, two by distributors and one each by Famous Players Canadian Corp. and Spencer Theatres of St. John, N. B.

# MPTOA Poll Reveals Code Holds Favo

(*Continued from page* 1)

vantage of the concessions offer while continuing efforts to solve remaining problems as time would low. Personally, he said, he believ the concessions now offered wou prove of great benefit to the exhibitor and added that "quibbling over detail should be stopped.

**Kuykendall Analyzes Trade Practice Draft**

Renewing M.P.T.O.A.'s advoca of conciliation over arbitration as method of settling trade practice di putes and of making the trade pra tice program effective immediately all of its phases not affected by the i completed arbitration procedure, Kuykendall, M.P.T.O.A. preside yesterday sent out his analysis of t current trade practice draft to mer bers of the national exhibitor orgar zation.

The bulletin urges acceptance of t code in the vein of "half a loaf is be ter than none" and lists the organiz tion's criticism both of what is o fered in the draft and what is omitte Distributor reservations in connectio with the cancellation right, particular the requirement that if an exhibit fails to exercise his right to cancel a higher bracket it cannot be us in the next lower bracket, but on in the very lowest price group.

The bulletin also scores Unit Artists for not participating in t program, asserting that if its obje tions to participation are valid, t company has nothing to lose by pa ticipating, since if it does not sell blocks the cancellation proposal wou not apply to it, and it should have r objection to eliminating a score charg which it says it doesn't collect.

## *Fight Film Measure Is Passed in Iow*

Des Moines, May 8. — A bill permit the showing of prize fight pi tures was the only legislation affec ing film theatres passed by the r cently adjourned Iowa legislature.

Other bills considered were: O to add an additional operator in fil booths in theatres; one to ban Ba Night by classing it a lottery; one legalize Bank Night and tax each a mittance ticket five cents, and one create a state board of film censor

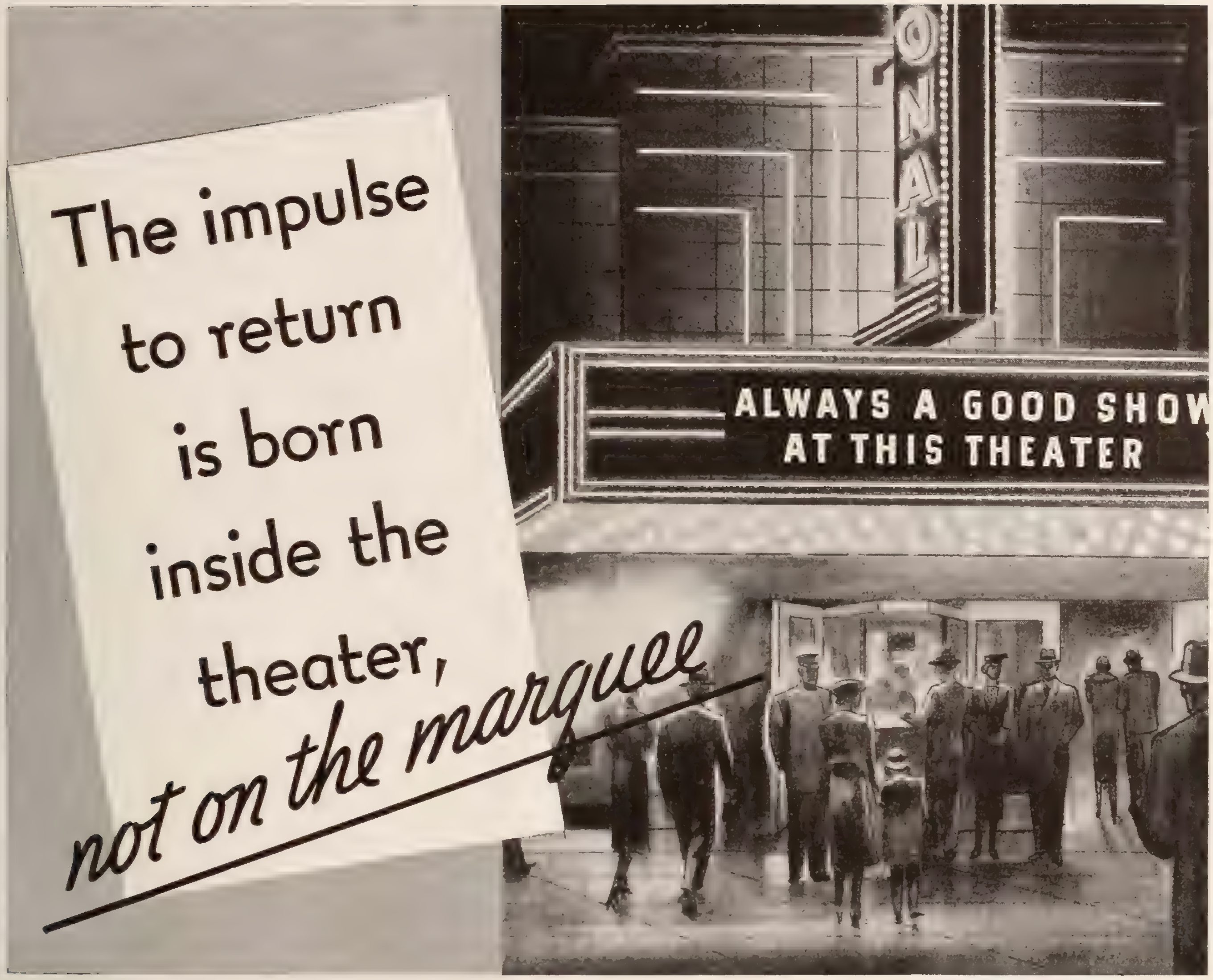
## *Connecticut Faces Legalizing of Race*

Hartford, Conn., May 8.—Lega ized horse and dog racing looms aga as a definite possibility in Connectic as state legislators seek to balance t budget without adding new taxes.

Vigorously opposed by exhibitor the bills were reported unfavorably i committee, but the estimated $2,000 000 a year revenue from betting a pears large in the eyes of legislator

## *Pommer Delays Sailing*

Erich Pommer, of Pommer-Laug ton Mayflower Productions, has d ferred his sailing for New York an is now scheduled to arrive May 2



# The impulse to return is born inside the theater, *not on the marquee*

● "I dropped into the Majestic the other night. There's where I'm going after this when I want to really enjoy a show. I've never seen better theater lighting. I found my seat without stumbling and groping. My eyes didn't get tired and I figured that was because there was no sharp contrast between the screen and the walls around it. It was a color feature and I've never seen more natural color on the screen."

Patrons do comment in this manner on theaters they visit and their friends respond to their impressions. When people desire to see a particular feature they go to a theater they know will present it properly and in comfortable surroundings. Such presentation means just one thing — high intensity projection.

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# to CBS

One family – multiplied by 26,000,000! For 26,000,000 families live and listen in Columbia Broadcasting System's *primary* listening areas. CBS dominance in the urban segment of this audience has been acknowledged for years. And now, a new study of rural listening habits measures the dominant CBS position in *rural* America as well. The study, conducted by impartial investigators, shows a CBS audience, day and night, greater than that of any other network; reports that 87% of all rural families interviewed listen *regularly* in the evening to CBS: 72% in the daytime. And the farmer listens to the "city" programs: 80.9% of all rural families interviewed heard Major Bowes; 71.8% heard Eddie Cantor! We will be glad to send you a copy of this latest basic radio study: COLUMBIA'S RFD AUDIENCE. Write to 485 Madison Ave., New York.*

# CBS Expands News, Special Events Work

News and special events bureaus of CBS will occupy greater prominence in the network's operations than ever before, according to a recently devised formula.

In preparation for the increased activities, the departments have been given most of an entire floor, with several new studios now under construction.

The new studios will be on the 17th floor of the headquarters building and will be used for instantaneous broadcasting, with the Morse and communications rooms being shifted adjacent to the new studios.

To make room for the increased facilities, the publicity department has been transferred from its previous location to another part of the building, in the premises formerly used by the network's law department.

## *Study British Film and Television Link*

London, May 8.—British Postmaster General on May 18 will receive a deputation from the Cinematograph Exhibitors' Association and Kinematograph Renters' Society (distributors) to discuss relations of the film trade with British Broadcasting Co. television. Limitation of the use of films, especially shorts, in BBC television, and the screening of telecasts in theatres also will be discussed.

## *Cincinnati Shows Moving to Chicago*

Cincinnati, May 8. — Coincident with the signing of a union scale contract with AFRA, three WLW-originated shows, "Avalon Time," "Uncle Walter's Dog House Club" and "Plantation Party" are moving to Chicago. All three are weekly commercials sponsored by Brown & Williamson Tobacco Co. Economy and convenience are given as reasons for the shift.

## *American Cigarette Plans CBS Program*

American Cigarette and Cigar Co. has signed for a 15-minute once weekly series over CBS featuring the orchestra of Natty Malneck from Hollywood. Program is to start June 1 from 7:15 to 7:30 P. M. over a 51-station hookup. It is understood the sponsor is seeking to clear an additional 15 minutes to provide a 30-minute series.

## *Ryan N. A. B. Director*

Cincinnati, May 8.—J. C. Ryan, vice-president of the Fort Industry Co., Toledo, O., operating WSPD, Toledo; WLON, Lima; WWVA, Wheeling and WMMN, Fairmont, W. Va., was unanimously elected director of the N.A.B., District No. 7, at a meeting here. He succeeds Mark Ethridge, WHAS, Louisville, who relinquished the post because of ill health.

# *Radio Personals*

Arthur Rothafel, son of the late "Roxy," is writing scripts for radio, and his second sale will be heard on "Grand Central Sketches" Friday. . . . Jimmy Dorsey's recording contract has been renewed for two years. . . . Alice White, the former film actress, is now in radio and is a feature on a number of CBS programs. . . . Stan Shaw, mikeman of WNEW's "Milkman's Matinee," will guest on "We, the People" tonight. . . . Lincoln Dellar, general manager of WBT, has returned to Charlotte after spending a week in Manhattan.

## *$171,849 for Paley As Salary in 1938*

Washington, May 8.—William S. Paley, CBS president, received $171,849 as salary during 1938, annual report to the Securities & Exchange Commission revealed today. Edward Klaube, vice-president, received $78,304; David Sarnoff, RCA president, $100,000, and J. G. Harbord, chairman of the board, $60,640. Frank M. Lovejoy, president of Eastman Kodak, received $115,419 and Albert F. Sulzer, vice-president, $67,591.

## *Jergens Plans New Program Over CBS*

Jergens Woodbury Co. has signed for a new program over CBS, starting July 7. Talent is not set.

Series is to be heard Fridays from 7:45 to 8 P. M. with a midnight rebroadcast. For the first 13 weeks, 35 stations are to be utilized, and thereafter 27 stations will be added for a total of 62. Lennen & Mitchell is the agency.

## *Little Air Coverage For Windsor Speech*

**Duke of Windsor's "peace plea" received a more limited coverage than expected. In addition to BBC, the Canadian network boycotted the speech. Not even NBC's stations in Montreal and Toronto tuned in the Duke's address. Internationally, the speech suffered similar treatment.**

## *Campbell to Drop Welles Program*

Campbell Soup Co. will drop its sponsorship of the Orson Welles series on CBS the first week in June, and thereafter wil carry on only with the Amos 'n' Andy program.

According to authoritative word, the Welles time will be taken up immediately by the Kellogg Co., sponsors of the Hollywood series, "The Circle," which is currently heard at 10 P.M. on the NBC-Red. Reason for the shift of the latter to CBS is the sponsor's desire to obtain a period earlier in the evening.

## *Settle CBS Action*

Suit of Edward B. Marks Music Corp. for alleged infringement of the operetta "A Waltz Dream" against CBS, Benton & Bowles and Colgate-Palmolive-Peet Co. and Colgate & Co. was discontinued and settled yesterday in the U. S. District Court for an undisclosed figure.

## *Alley on NBC Tonight*

Norman Alley, Universal newsreel cameraman who was on the gunboat *Panay* when it was bombed by Japanese planes, will tell the inside story of the bombing on the "Inside Story" broadcast tonight, through KDKA and the NBC-Blue network at 8 P.M.

# *FCC Calendar of Hearings*

Washington, May 8. — Federal Communications Commission has announced tentative dates for hearings on broadcasting applications, as follows:

May 11: Applications of Sentinel Broadcasting Corp. for a 620-kilocycle, 1,000-watt station at Salina, N. Y.; Civic Broadcasting Corp. for a 1,500-kilocycle, 100-watt station at Syracuse, and WHJB, Greensburg, Pa., for extension of time from day to unlimited and increase of power from 250 to 1,000 watts.

June 1: Applications of C. T. Sherer Co., Inc., for a 1,200-kilocycle station at Worcester, with 100 watts night, 250 watts day; WJMS, Inc., for a 1,370-kilocycle, 100-watt station at Ashland, Wis., and North Shore Broadcasting Co. for a 1,200-kilocycle, 100-watt station at Salem, Mass.

June 2: Application of WCOU, Lewiston, Me., for increase of day power from 100 to 250 watts.

June 5: Application of KFIO, Spokane, for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts.

Construction permit for a new broadcasting station, to operate on 1,370-kilocycles with 100 watts power night, 250 watts day, has been asked of the commission by the Opelika-Auburn Broadcasting Co., Opelika, Ala.

The commission also received applications from KDAL, Duluth, for an increase of day power from 100 to 250 watts, and KWJJ, Portland, Ore., for an increase of power from 500 to 1,000 watts.

Broadcasting Corp. of America, sponsors of a new 1,270-kilocycle, 250-watt station at Riverside, Cal., has submitted an amended application for a construction permit, asking for a frequency of 1,390 kilocycles and power of 1,000 watts, requesting the facilities of KOY when that station goes to a new frequency.

Applications were filed with the commission by WMBO, Auburn, N. Y., asking for increase of night power from 100 to 250 watts; WSPR, Springfield, Mass., for change of frequency from 1,140 to 1,240 kilocycles, change of hours of operation from limited to unlimited and change of power from 500 watts to 250 watts night, 500 watts day, and WHK, Cleveland, asking for increase of day power from 2,500 to 5,000 watts.

# Banner LINES

NBC is chortling over what h pened in Omaha the day KOIL severed its relations w it and joined the CBS network. H erto KOIL had been a quiet, well haved station, but on the day it became a CBS affiliate Barrymore was invited to its stu for an interview, and what John over the KOIL air is still very barrassing to KOIL and CBS.

▼

*Orders have gone out from Will S. Paley that Hans V. Kaltenb no longer is to be referred to a news commentator," because term connotes editorializing. H after Kaltenborn is to be officially ferred to as a news "analyist."*

▼

**Martha Deane, celebrating fifth year of broadcasting c WOR, the other day invited all teners who caught her first bro cast to come to the studio for and cake. There appeared 75 and women who claimed to h listened in to her initial bro cast.**

▼

The broadcast of the premiere "Young Mr. Lincoln" over the tual network, on Memorial Day, is to be a free plug for the picture. T charges for the 60 stations that carry the premiere will be paid by the film company. This will be second time that 20th Century- will have paid to exploit a film way of radio, the other instance b the company's purchase of the r rights to the description of the ning of the Kentucky Derby, in half of "Rose of Washington Squa

Mutual, heretofore, has broad the premieres of several 20th Cent Fox pictures—particularly the Shi Temple films—but always on a basis. On the other hand, NBC cently gave free time to Warners Paramount for exploiting "Do City" and "Union Paacific," sugg ing that it is premature to label exploitation of pictures via radio "trend."

▼

*To NBC's Information Divi has come a letter from a woman residing in Chicago, asking if she receive a brochure containing "ph graphs and short biological sketc of the artists appearing in the "An ican Album of Familiar Music."*

—Jack Ban

## *Hill Program Startin*

"Stop, Look and Listen," with win C. Hill, will start over W this week, to be heard Mond through Fridays from 9:15 to 9 P.M. Series is sponsored by Metropolitan Life Insurance Co. C tract is for one year. Series is on WNEW, where it will conti to be heard via transcription. Yo & Rubicam is the agency.

## *Going to Hollywood*

Winners in the Uncle Don cl talent contest, conducted in collabo tion with 20th Century-Fox, will le this morning bound for Hollyw where they will be guests of the c pany.

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. 45. NO. 90 NEW YORK, WEDNESDAY, MAY 10, 1939 TEN CENTS

# Columbia Sets 42 Features Next Season

## 6 Westerns, 4 Serials, 130 Shorts Planned

Atlantic City, May 9.—Colum- a's new season schedule consists of features, 16 westerns, four serials d 130 short subjects, Abe Montague, neral sales manager, informed the mpany's regional sales meeting at e Ritz-Carlton here today. Two of e features, Frank Capra's "Mr. nith Goes to Washington," and an sa Johnson adventure picture, will sold as specials apart from the her 40 features on the regular pro- am.

The company's production budget ll be increased by at least $5,000,000 er the highest for any preceding ason, the convention was told, which ll make possible production of at ast 15 high bracket pictures. In- vidual picture budgets will be "elas- ," Montague said, to permit the idio to realize the fullest possibili- s of all literary properties. The ore important pictures on the list ll be assigned to the company's wly acquired group of directors, hich includes Wesley Ruggles, rank Lloyd, Howard Hawks, Rou- n Mamoulian and Alexander Hall.

The regular schedule of 40 fea- res, apart from the Capra and sa Johnson pictures, will be made up the following:

"Arizona," a Wesley Ruggles pro- ction, starring Jean Arthur in the aude Binyon adaptation of Clarence dington Kelland's story.

A second Wesley Ruggles produc-

(Continued on page 3)

## Leave Dual, Single Policy to Theatres

**Atlantic City, May 9.—Abe Montague, Columbia general sales manager, today made clear that a statement on Monday regarding Columbia's attitude on single or double bills advised that the choice be left solely to the exhibitor.**

**Montague in his statement declared that it is not the aim of the company to interfere with any exhibitor's operating policy and Columbia will cooperate with exhibitors whether they show double bills or single bills.**

## Chile Showmanship

**Alfonso G. Merlet of the Italo-Chilena circuit of Chile, now in New York, relates that when Chile passed a law prohibiting minors' attendance at film theatres, it became a common practice to put on children's nights, which drew big business. The exhibitors paid the required fine of 100 pesos ($3.30 gold in U. S. currency) for each night's performance and still showed a handsome profit. But the government got wise and changed the law to impose a fine of 100 pesos for each minor. That put the kibosh on the idea.**

# Griffiths Renamed President of KRS; Fights New Taxes

London, May 9.—D. E. Griffiths was reelected president of the Kinematograph Renters' Society (distributors), at the annual meeting today.

He deplored new taxes which impose a levy of $3,750,000 on an industry already providing $30,000,000 in entertainment levies. He foresees curtailed production and importation, and forecasts elimination of all second features and British and American shorts unless the tax burden is eased.

Griffiths said he will try to gain the support of the Cinematograph Exhibitors' Association and call a joint meeting of all trade branches to fight for tax adjustments.

# Para. Votes First Common Dividend Since Realignment

Paramount's board of directors, at a special meeting yesterday, declared the first dividend on the company's common stock to be paid since Paramount emerged from reorganization in 1935.

Dividend of 15 cents a share will be paid July 15 to stockholders of record on June 30. Payment will be made on 2,465,927 shares of common outstanding, and will aggregate about $370,000.

In addition, the board declared the usual quarterly dividend of $1.50 per share on the company's first preferred stock and 15 cents per share on the second preferred. The preferred dividends are payable July 1 to holders of record on June 15.

The company's certificate of incorporation requires a 45-day notice to the preferred stockholders prior to payment of an initial common stock dividend.

Interest bearing indebtedness of the company has been reduced by more than $10,000,000 during the past three years, the company reported following the meeting. In the same period 111,000 shares of first preferred and 89,000 shares of second preferred were converted into 857,000 shares of common, resulting in a total reduction of over $12,000,000 par value of senior shares.

All current dividends and dividend arrearages on the preferred shares, approximating $7,000,000, were paid up during the period, it was said.

# K. C. Censors Overrule Protests on 'Nazi Spy'

Kansas City, May 9.—The local censorship board late today upheld City Censor Eleanore Walton in her approval of "Confessions of a Nazi Spy," and the film will be shown despite protest of local Germans.

Hollywood, May 9.—Jack L. Warner, vice-president of Warners, issued a statement tonight in which he charged that the protest against "Confessions of a Nazi Spy" in Kansas City was inspired by official German sources.

Mrs. Eleanore Walton, city censor in Kansas City, has called on three members of the censor appeal board to view the film following the filing of a protest petition with city officials. The petition asserts the picture tends to incite discord and racial feeling and asks the authorities to suppress it.

The Warner production chief declared:

"I understand that about 100 people signed a petition asking the Kansas City censor board to re-review 'Confessions of a Nazi Spy.' I also understand this movement is headed by Herman Gastreich, German Vice Consul in Kansas City, who obviously is not a citizen of the United States. I cannot believe that any group other than one sympathetic to the Nazi cause or to espionage in the United States would object to 'Confessions of a Nazi Spy.'

"This picture has been viewed and

(Continued on page 10)

# Quebec's New Tax to Close All Theatres

## Exhibitors Decide to Shut Doors in a Month

By COLIN P. HAWORTH

Quebec, May 9.—The burden of excessive taxation will force the closing of all theatres here.

Already paying many levies, exhibitors in this provincial capital of 80,000 regard Mayor Lucien Borne's newest tax as the "last back-breaking straw."

### Decide to Close in Month

Mayor Borne has decreed immediate imposition of a tax of "10 per cent and breaks" on the gross takes of each theatre. Owners feel themselves unable to bear the new burden and have decided to close their houses within a month.

Ten theatres, one Famous Players Canadian Corp. and nine independents, serve the city. They have already notified their staffs of dismissal. Closing dates have not been determined yet, but it is believed theatres will be locked up in two or more weeks.

### 40% of Gross Taxed

Mayor Borne's new ruling was made to apply for a month's experiment, but exhibitors fear the new levy will be too great and have arranged to close.

The new municipal tax, which exhibitors claim really amounts to 14 per cent of grosses, would raise the total levy on theatres to about 40 per cent of the take.

Complete shutdown will tie up about $1,500,000 of theatre property and equipment.

## Late Flashes

Los Angeles, May 9.—Jeff Kibre, Local 37, I.A.T.S.E. minority leader, was discharged today when authorities failed to press charges of criminal syndicalism.

●

Hollywood, May 9.—Will Hays and Cecile B. DeMille arrived today. En route they discussed "Our America," industry's contribution to both World Fairs.

## Booking Problems At Texas Meeting

GALVESTON, May 9.—Booking problems and public relations occupied most of the second day of the meeting of Interstate Circuit and Texas Consolidated Theatres executives and managers. P. K. Johnson and Harry Sachs, booking department heads, discussed individual booking situations.

Besa Short, short subject head, discussed the necessity of proper billing and handling of shorts. R. J. O'Donnell, general manager, declared he is satisfied that one feature with shorts is the best program. Joe Luckett discussed children and the theatre. Others who spoke included Y. Frank Freeman and Austin Keough, of Paramount, and Judge D. F. Strickland of the legal staff. Mike Kincy of Atlanta joined the group today. A resolution passed today gave the circuits "Extra Effort Month" as a tribute to Karl Hoblitzelle and O'Donnell.

## *Study Guides Made For Seven Pictures*

Conforming with the aims of the Committee on Motion Pictures of the National Education Association, Educational and Recreational Guides, Inc., announces publication of study guides to the following films: "Man of Conquest," "Pygmalion," "The Mikado," "Blanche-Neige" (French version of "Snow White"), "Union Pacific," "Goodbye, Mr. Chips" and "Young Mr. Lincoln." The guides were under the general editorship of Max J. Herzberg, principal of Weequahic High School, Newark.

## *Deny Plea to Amend Universal Complaint*

N. Y. Supreme Court Justice Philip J. McCook yesterday denied an application of John D. Tippett, Inc., to amend its complaint in its $600,000 damage suit against Universal Pictures Corp., Print Stock Corp., Eastman Kodak Co., Consolidated Film Industries, Inc., Carl Laemmle, Maurice Fleckles, J. E. Brulatour, Inc., and Jules Brulatour.

Suit charges the defendants with inducing Universal to breach a five-year contract with the plaintiff for the sale of film raw stock.

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**AMERICAN AIRLINES** *Inc.*

# *Purely Personal*

BARNEY BALABAN, Paramount president, leaves for Galveston by plane today to attend the Interstate Circuit managers' meeting. He plans to return Monday and may be accompanied by AUSTIN KEOUGH, Paramount vice-president, who has been vacationing in the south for the past month.

•

EDDIE SUSSE, former feature print booker at the M-G-M New York exchange, has been appointed assistant booker. GEORGE DALSTON, short print booker, succeeds SUSSE. MAX POLINSKY has been appointed short print booker.

•

FREDERICK TIMMS, joint managing director of J. Frank Brockliss, Ltd., London, equipment distributors, will return to England on Saturday, with MRS. TIMMS, after several weeks in this country.

•

MOE SIEGEL, NATE BLUMBERG, HARRY GOETZ, JOE MOSKOWITZ, JOE PINCUS, BUDD ROGERS, JACK GOETZ, SAM SPRING, EDDIE GOLDEN, lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

HARRY M. WARNER and MRS. WARNER arrive today on the Century. They stopped over for a day in Chicago en route from the coast.

•

ABE COHEN, head of the cashier's department at Columbia's New York exchange, will leave May 29 for a two-week vacation.

•

E. K. O'SHEA, M-G-M eastern district manager, returns the end of this week after a tour of branches in his territory.

•

ARTHUR LOEW, DAVID BLUM, STANTON GRIFFIS, LANNY ROSS, among those lunching at Sardi's yesterday.

•

HERBERT GRIFFIN, vice-president of International Projector Corp., has returned to New York from the coast.

•

DOUGLAS FAIRBANKS, SR., has canceled his sailing on the *Queen Mary* today.

•

LOUIS B. MAYER, M-G-M vice-president, is expected today from the south.

JOHN HAY WHITNEY, JOHN E. ABBOTT and NELSON ROCKEFELLER were among the hosts at a "preview" of the new Musuem of Modern Arts building yesterday.

•

SAM MOSCOW, southern division manager for Columbia, is mourning the loss of his son, STANLEY, who died last week in Beth Israel Hospital, Boston.

•

W. RAY JOHNSTON, Monogram president, returned yesterday from a brief respite in Waterloo, Ia., his home town, following the company's convention.

•

JOHN HESSE, manager of the Roger Sherman, New Haven, has changed places with EDWARD LYNCH of the Warner, Bridgeport, for a few weeks.

•

QUINTIN RUEDA, chief of the Mexican Department of Press and Publicity, leaves today for the coast en route to Mexico City.

•

BEN KALMENSON, Warner western and southern sales manager, returned yesterday from a three weeks' business trip.

## S.W.G. to Weigh Union Affiliation

HOLLYWOOD, May 9. — Screen Writers' Guild will consider affiliation with either the C.I.O. or A.F. of L. at an open board meeting Monday night to which all members will be invited. The move follows the failure of the S.W.G. to obtain a collective bargaining agreement with the studios.

The meeting will hear a report of committees appointed to consider N.L.R.B. hearings and to investigate the possibility of affiliation.

## *Columbia Outing May 29*

Annual outing of the Columbian Club, employe organization of Columbia, will be held May 29 at the Pinebrook Country Club, near Bridgeport, Conn.

## *4 A Election Monday*

Annual meeting of Associated Actors & Artistes of America, parent body of actor unions, will be held Monday. Election of officers will take place.

# *The Newsreel Parade*

*Light events dominate the contents of the new issues. Kentucky Derby is the chief sports item covered. The reels and their contents follow:*

MOVIETONE NEWS, No. 69—Kentucky Derby. Nicaragua's president visits White House. Franco on victory tour. War maneuver games. New mail delivery scooter. Aquacade opened at New York Fair. New observatory opened. Fashions for brides. Lew Lehr.

NEWS OF THE DAY, No. 267—Somoza in Washington. Queen Wilhelmina inspects navy. Former Albanian guards in Italy. Lindberg heart display. Marines land in Florida. England's King and Queen at soccer game. Johnstown wins Derby.

PARAMOUNT NEWS, No. 80—Roosevelt greets president of Nicaragua. Dedicate pavilions at New York Fair. Mechanical heart inspected. Al Smith Day at Frisco Fair. Ashes of late Jap ambassador returned. Albanian royal guard pledges allegiance to Italy. War maneuvers in Egypt. Netherlands navy reviewed by Queen. Devil fish captured. Lou Nova in training. Derby.

RKO PATHE NEWS, No. 84—Nicaraguan president visits Roosevelt. Coal strike. New airplane. Funeral for Joseph Lyons. Derby.

UNIVERSAL NEWSREEL, No. 769—Roosevelt welcomes president of Nicaragua. Rumanian minister in Paris. Zog's bodyguards in Rome. New flying boat. Pageant in Florida. Al Smith at Frisco Fair. Mechanical heart. Aquacade opens. Derby.

## Chile Envoy Here; Studies U. S. Films

Alfonso G. Merlet of the Italo-Chilena circuit in Chile, acting a emissary of the Chilean governmen which is subsidizing establishment o a privately-owned studio in Santiago is in New York studying local exhibition methods.

After a month here, Mr. Merlet [illegible] go to Hollywood to study the produc tion end of the picture business witl the expectation that Chilean cash wil be ultimately turned into productioi channels locally.

Mr. Merlet reported heavier box office receipts in Chile during the pas year, and also revealed constructioi of many new theatres.

## *Film Carrier Unit Reelects Officer*

All officers were reelected at th conclusion of a two-day convention o National Film Carriers, Inc., at th Park Central Hotel. A luncheoi featured yesterday's activities and th program was completed ahead o schedule in order to permit delegate to attend the World's Fair.

Officers reelected were James P Clark, president and treasurer Thomas W. Gilboy, vice-president Clint Weyer, secretary; George F Callahan, James P. Clark, E. E Jameson, Harold C. Robinson anc John Vickers, executive committee On the board of managers, L. V. D Benton was elected in the place of A B. Abercrombie. Others were A. C Amsler, M. H. Brandon, H. A. Lydecker, Charles E. McCarthy, H. E McKinney, L. M. Miller, M. G. Rogers, W. A. Slater, F. E. Smith and C W. Trampe.

## *Fairbanks Settles Claim*

HOLLYWOOD, May 9.—Douglas Fairbanks yesterday settled Federal income tax claims by payment of $103,730. The claims were in dispute for more than 10 years. The Government won a judgment from Fairbanks for erroneous refunds of $72,186 with interest from 1932 and the U. S. Supreme Court recently affirmed the decision.

MOTION PICTURE
DAILY
*(Registered U. S. Patent Office)*

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# .A. Meeting Hears Roach And Selznick

HOLLYWOOD, May 9. — David O. nick and Hal Roach took the ros- at the second day of the United rtists convention here to give first nd information to the assembled lesmen of the product for the coming ar. Manny Silverstone spoke as presentative of Alexander Korda.

Murray Silverstone, operating head, clared no formal demarcation exists tween various ranks in the sales ganization and asked all to submit ggestions for the company's progss. Harry Gold and Jack Schlaifer, ce-presidents, discussed the new oduct and were followed by District Managers Ben Fish, Haskel asters, Bert Stearn, Dave Prince, harles Stearn and Jack Goldhar.

### Laurel-Hardy Films

Roach screened a special trailer, epared by Frank Seltzer, studio adertising and publicity head, showing enes from five features and four aurel and Hardy four reelers which will contribute to the company's ogram next season. Roach emphazed the growing need for subjects of orter length to balance the growing ngth of "A" pictures. He declared at Laurel and Hardy had succeeded recapturing the tempo of the comlies of the silent days.

Selznick described details of "Interezzo" and then asked the convention vote on the title. When it was rected, he accepted the vote and stated at a new title would be chosen. illiam Wyler will direct this film. ivian Leigh or Margaret Sullavan ill be starred in "Rebecca," with ther Ronald Colman or Herbert arshall opposite.

### $3,000,000 Ad Budget

Lynn Farnol, director of advertising d publicity, told the delegates how s department would spend the $3,00.000 which had been appropriated it. He asserted that films would backed by a full quota of national d trade journal advertising. Mone Greenthal, director of exploitation, llowed with a description of the erations of his department. Albert argolies, also spoke. Margolies will turn to New York tomorrow by ane.

The convention formally wound up day. Tomorrow will be given over individual meetings of district, vision and branch heads with salesen.

# EC Film, Radio Work Facing Shift

WASHINGTON, May 9.—Motion picre and radio activities of the Naonal Emergency Council will be ansferred to the Federal Security gency under a second plan of reoranization sent to Congress today by resident Roosevelt.

The Security Agency was created nder the first reorganization plan, hich will become effective June 24, d is to include, among other gencies, the Office of Education, now the Interior Department.

# *Columbia Schedules 42 Pictures for New Year*

LUMBIA
939-40

*On the dais at Columbia's sales convention in Atlantic City are, left to right: Rube Jackter, assistant sales manager; A. Montague, general sales manager; Joseph A. McConville, foreign manager; Max Weisfeldt, short subject sales supervisor; Louis Astor, circuit sales; Louis Weinberg, circuit sales; Maurice A. Bergman, director of advertising, publicity and exploitation.*

(*Continued from page 1*)

tion to be announced later.

"The Tree of Liberty," a Frank Lloyd production, from the Elizabeth Page novel.

A second Frank Lloyd production to be announced later.

"The Bigger They Are," a Howard Hawks production, starring Cary Grant in the Ben Hecht and Charles MacArthur play. Screenplay by Charles Lederer.

"Super Clipper," to be directed by Alexander Hall.

"Singapore," with a director and all-star cast to be announced.

One Joan Blondell-Melvyn Douglas production.

Three "Blondies," continuing the series featuring Penny Singleton, Arthur Lake and Larry Simms, based on the Chic Young cartoon strip. Increased production and advertising budgets are planned for this trio.

### To Film Lawes' Story

"Give Me Liberty," starring Joe E. Brown in the story by Grant Garrett.

A second Joe E. Brown, story and cast to be announced.

"Men in Sing Sing," with Warden Lewis E. Lawes in his own story, and with an all-star cast.

"American at Scotland Yard," star, cast and director to be announced.

Three Edith Fellows productions based on Margaret Sidney Lothrop's "Five Little Peppers."

Two "Lone Wolf" productions, starring Warren William in new Louis Joseph Vance stories.

Four Jack Holt productions.

Additional pictures on the list may be made from the company's following literary properties: "The Life of Alfred Nobel," by Peter Freuchen; "Chopin," by Sidney Buchman; "The Incredible Mr. Williams," by Sy Bartlett; three *Saturday Evening Post* stories by Clarence Budington Kelland; "The Cavalier of Tennessee," by Meredith Nicholson; "City for Conquest," by Aben Kandel; "Miss Quis," by Ward Morehouse and Vinton Freedley; "The Stars Shine Twice," by Clare Booth; "The Pioneers," by Courtney Riley Cooper, Frank R. Adams and Frances Marion; "The Man Who Won the War," by Robert Buckner; "The Mad Rumelhearts," by Maude Smith Delavan; "The Second Mrs. Draper," by Noel Pierce; "Valley Forge," by Maxwell Anderson, and "When God Laughs," by Jack London.

### Starrett in 10 Westerns

The new westerns will consist of 10 with Charles Starrett, and six with "Wild Bill" Elliott.

Serials scheduled are "The Shadow," based on the radio character; "Terry and the Pirates," based on the cartoon strip; "The Green Archer," from the Edgar Wallace novel, and "Deadwood Dick," the western fiction character.

The short subjects schedule consists of the following: Eight "Three Stooge" comedies; 18 All Star Comedies, with casts headed by Andy Clyde, Charley Chase and Buster Keaton; 16 Color Rhapsodies, produced by Charles Mintz; 10 Phantasies cartoons, a new series to be produced by Mintz; six Fables cartoons; six "Fools Who Made History," a new series; 12 Screen Snapshots; 12 World of Sports; six Washington Parade; six Pals and Pets, a new series; 10 community sings; six Famous Moments of Comedy, a new series, and six Cinescopes, a new series.

A series of Osa Johnson adventure shorts is planned in addition to the regular program. Also, the company will continue its "Happy Hour" juvenile entertainments with a minimum of 12 new units.

### Sell the Public, Says Cohn

The public must be sold more thoroughly than ever before on motion pictures, Jack Cohn, Columbia vice-president, said today in addressing the convention delegates.

"With competition to the very idea of going to motion pictures increasing every day, it is up to the exhibitor to keep before the public the idea that there is no entertainment better than motion pictures," Cohn said. "One of the dominant factors in building up the industry was the creation by exhibitors of their own showmanship in selling any picture. This has been lacking in the last few years.

"Exhibitors who intend to rely upon the distributor to sell the picture are remiss in doing a job that primarily belongs to them," Cohn said. "Distributors must scatter their shots in advertising and publicity and, as a result, the specialized community showmanship has been glaringly missing. Whether exhibitors liked the big drive the industry had last fall or not, there is still a lot that can be done in all communities along this line.

"If the exhibitor will support national campaigns with individual showmanship it will help in great measure to overcome the increasing competition that now faces all of us in motion pictures," he concluded.

# Reel Crews to Canada to Get Royal Arrival

All newsreels will send special crews to Canada tomorrow to cover the arrival of the King and Queen Monday. They will work together and exchange prints. The reels picturing the arrival will reach New York Monday in time for inclusion in the regular editions.

In Canada, where only one 1,000-foot reel is issued weekly, there will be two 500-foot reel specials issued weekly during the stay there of the royal pair. Under the terms of the agreement with the Canadian Government, cameramen must accept direct orders from the Royal Mounted Police and refrain from addressing the King or Queen unless spoken to. Five Canadian cameramen will be employed jointly by all the reels. In return, American cameramen will be permitted to work there and use their own equipment. The Department of National Revenue has cancelled for one month all duties on sound trucks brought into Canada for permanent or temporary use.

Newsreel crews will not be carried on the official train but trucks will follow and will be set up in advance of arrival on an alternating schedule.

## *Defeat Phelps Motion*

ALBANY, May 9.—State Senate today defeated the motion by Senator Phelps Phelps to discharge the Judiciary Committee from further consideration of his bill for a statewide referendum on gambling, by a vote of 32 to 12. Senator Dunnigan reintroduced his bill for pari-mutuel machines at racetracks. This bill was passed last year and, if passed again, would be submitted to voters in the fall elections.

## *RKO, Morros in Deal*

HOLLYWOOD, May 9.—RKO today closed a deal for release of "The Aviators," English remake of a French picture, to star Stan Laurel and Oliver Hardy under the banner of Boris Morros Productions, Inc. Morros will produce as first of eight remakes of French pictures the company plans. No release deal has been set for the others.

Goodbye
Mr.
Chips

# THEY SAW THE PICTURE

**JAMES HILTON** (*author of the novel*)—"'Goodbye Mr. Chips' is an author's dream fulfilled—a picture that does for him practically all that he would like to do for himself if he owned a studio and had a million dollars to spare."

**ALEXANDER WOOLLCOTT** (*"The Town Crier," author and critic*)—"The best moving picture I have ever seen...A beautiful and perhaps immortal story has been translated from one medium to another with tenderness and imagination and genius . . . the most moving of all moving pictures is the one called 'Goodbye Mr. Chips'."

**SPENCER TRACY** (*actor*)—"I can remember no greater performance."

**LILLIAN GISH** (*actress*)—"More appealingly tender than the book."

**EDDIE CANTOR** (*actor*)—"One of the greatest, if not the greatest motion picture I have ever seen."

**MARC CONNELLY** (*playwright*)—"The best sentimental picture I've ever seen."

**WALTER WINCHELL** (*columnist*)—"Orchids to M-G-M's 'Goodbye Mr. Chips'—destined to make movie hit history."

**MOSS HART** (*playwright*)—"I have seen about four really great pictures in my life. 'Goodbye Mr. Chips' is one of them."

**JIMMIE FIDLER** (*radio commentator*)—"It's a picture to remember always."

**ED SULLIVAN** (*columnist*)—"Make a small bet that 'Goodbye Mr. Chips' will win the Academy Award."

DIRECTED BY SAM WOOD
Screen Play by R. C. Sherriff, Claudine West
and Eric Maschwitz. Produced by Victor Saville

## M-G-M's STAR POWER in '39-'40!

With Robert Donat's performance as "Mr. Chips" already prophesied for the Academy Award—with Greer Garson, an overnight sensation—M-G-M's galaxy of great stars is even further strengthened. Never in the history of films has any one company offered its customers such a wealth of personalities!

MGM
ERT DONAT IN
dbye Mr. Chips
EER GARSON

ASTOR
B'WAY at 45th. ST.

OPENS MAY 16th

It is being launched in the same showmanship manner that gave nationwide fame to "Pygmalion", now concluding a brilliant 6-month run at the Astor!

# HELLO MR. EXHIBITOR! "GOODBYE MR. CHIPS"

## is the greatest thing that could happen for the benefit of the entire motion picture industry!

*(and you'll be prouder than ever to be an M-G-M showman!)*

# 'Victory' Big Chicago Lead With $38,600

Chicago, May 9.—"Dark Victory" at the Chicago was the bright spot in the Loop with a smash $38,600 gross. "Three Smart Girls Grow Up" at the Palace was strong at $24,400. Business elsewhere in the Loop was fairly quiet. The weather was fair and warm.

Estimated takings for the week ending May 3-6:

**"Hound of the Baskervilles" (20th-Fox)**
APOLLO—(1,400) (35c-55c-75c) 7 days, 2nd week. Gross: $5,000. (Average, $6,500)

**"Dark Victory" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days Stage: Clyde McCoy & Band. Gross: $38,600. (Average, $32,000)

**"Blackwell's Island" (W. B.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $6,400. (Average, $6,500)

**"The Saint Strikes Back" (RKO)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville & revue. Gross: $14,000. (Average, $13,000)

**"Three Smart Girls Grow Up" (Univ.)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville revue. Gross: $24,400. (Average, $19,000)

**"Dodge City" (W. B.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $8,700. (Average, $11,000)

**"Third of a Nation" (Para.)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville revue. Gross: $11,400. (Average, $12,000)

**"Broadway Serenade" (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $10,600 (Average, $15,000)

## *'Dodge City' Draws $10,000 in Montreal*

Montreal, May 9.—"Dodge City" at the Capitol grossed $10,000. "The Story of Vernon and Irene Castle" grossed $7,500 at Loew's.

Estimated takings for the week ending May 6:

**"Dodge City" (W. B.)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $10,000. (Average, $8,000).

**"The Story of Vernon and Irene Castle" (Radio)**
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $7,500. (Average, $7,000)

**"Wuthering Heights" (U. A.)**
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $5,000)

**"Three Smart Girls Grow Up" (Univ.)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,000. (Average, $10,000)

**"Huckleberry Finn" (M-G-M)**
**"Mr. Wong, Detective" (Mon.)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $5,000. (Average, $6,500)

## *'Dark Victory' Hits Big $13,900, Buffalo*

Buffalo, May 9.—"Dark Victory" was the leader here, grossing a strong $13,900 at the Buffalo. Close behind, comparatively, was "Wuthering Heights," with $9,500 at the Great Lakes.

Estimated takings for the week ending May 6:

**"Dark Victory" (W. B.)**
BUFFALO—(3,000) (30c-55c) 7 days. Gross: $13,900. (Average, $12,000)

**"Wuthering Heights" (U. A.)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,500. (Average, $7,800)

**"I'm From Missouri" (Para.)**
**"King of Chinatown" (Para.)**
HIPPODROME — (2,500) (25c-40c) 7 days. Gross: $4,000. (Average, $6,800)

**"The Return of the Cisco Kid" (20th-Fox)**
**"Inside Story" (20th-Fox)**
CENTURY—(3,000) (25c) 7 days. Gross: $6,700. (Average, $6,000)

**"East Side of Heaven" (Univ.)**
**"Gambling Ship" (Univ.)**
LAFAYETTE—(3,300) (25c) 7 days, 2nd week. Gross: $6,000. (Average, $6,300)

# *Hollywood Preview*

## *"Boy Friend"*

*(20th Century-Fox)*

Hollywood, May 9.—With Jane Withers in the throes of her first puppy love affair, with she and her boy friend, George Ernest, breaking up a loft-robbing gang, meanwhile driving both robbers and training school cops to the verge of nervous prostration, and with a chase guaranteed to raise goose-pimples on the toughest hide to top off everything, exhibitors have in "Boy Friend" an entertaining picture to sell their audiences.

Practically every element that producers use to concoct pictures is included. There are three distinct stories. One is about Jane's love affair, another concerns how rookie policemen are trained, and the third is an out-and-out cops-and-robbers melodrama. A Withers song number is added for good measure, and although the trio of stories sometimes bump into each other, there is definite reason for all that occurs.

From the time Jane and police candidate Warren Hymer steal Captain Minor Watson's prowl car to go to meet Ernest, through Jane's romantic adventures into the sequences which involve rookie Robert Kellard's murder and into scenes where Richard Bond is given a secret undercover job that makes him look like a traitor, the story leaps around like a grasshopper. But from the time Jane and Ernest set out to get the goods on Douglas Fowley and his mob to the moment of the hair-raising chase, the show is an expert combination of menacing melodrama and laughable comedy.

Basically a show for youngsters, Miss Withers' standing as a box-office draw gives it a natural appeal for adults. It is evident that Lester Ziffren and Louis Moore, who wrote the story, and that adapters, Joseph Hoffman and Barry Trivers, as well as director James Tinling, had this dual appeal in mind.

Running time, 70 minutes. "G."* G. McC.

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**G denotes general classification*

# 'Culver' $17,300 Milwaukee Smash

Milwaukee, May 9.—Wayne King, coupled with "Spirit of Culver," chalked up a $17,300 take at the Riverside.

Second money went to "Dark Victory" and "Twelve Crowded Hours" with $9,000 at the Warner. "The Return of the Cisco Kid" and "The Lady and the Mob" took $6,000 at Fox's Wisconsin.

Estimated takings for the week ending May 3-4:

**"Never Say Die" (Para.)**
**"Mr. Moto on Danger Island" (20th-Fox)**
PALACE—(2,400) (35c-50c) 6 days. Gross: $3,600. (Average, $4,000)

**"Spirit of Culver" (Univ.)**
RIVERSIDE—(2,300) (25c-30c-40c) 7 days. Stage. Wayne King. Gross: $17,300. (Average, $5,000)

**"Dodge City" (W. B.)**
**"Adventures of Jane Arden" (W. B.)**
STRAND—(1,400) (35c-50c) 7 days. Gross: $1,500. (Average, $2,000)

**"Dark Victory" (F. N.)**
**"Twelve Crowded Hours" (RKO)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $9,000. (Average, $4,500)

**"The Return of the Cisco Kid" (20th-Fox)**
**"The Lady and the Mob" (Col.)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $6,000. (Average, $5,500)

## *Chicagoans Fete Jack McPherson*

Chicago, May 9.—Testimonial dinner for Jack McPherson, who is leaving National Screen Service for a new business connection in Hollywood, was attended by about 150 of his friends tonight. Speakers included Jack Osserman, Clyde Eckhardt, Henry Hershel, Jack Kirsch, W. Banford, James Donohue and Felix Mendelsohn.

# 'Man of Conquest' Leads Kansas City

Kansas City, May 9.—Grosses felt the effect of the first really warm weather. "Man of Conquest" took $6,500 at the Fox Tower. "Midnight" gave the Newman $8,000 in 8 days.

Estimated takings for the week ending May 2-4:

**"East Side of Heaven" (Univ.)**
ESQUIRE—(800) (25c-40c) 6 days, 2nd week. Gross: $2,000. (Average, $2,600)

**"East Side of Heaven" (Univ.)**
UPTOWN—(2,000) (25c-40c) 6 days, 2nd week. Gross: $2,300. (Average, $3,000)

**"Midnight" (Para.)**
NEWMAN—(1,900) (25c-40c) 8 days. Gross: $8,000. (Average, $7,600)

**"Sergeant Madden" (M-G-M)**
**"King of the Turf" (U. A.)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $8,400. (Average, $11,500)

**"Dark Victory" (W. B.)**
ORPHEUM—(1,500), (25c-40c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000)

**"Man of Conquest" (Rep.)**
**"Swing, Sister, Swing" (Univ.)**
FOX TOWER—(2,200) (25c-40c) 7 days. Gross: $6,500. (Average, $5,000)

## *Fay Bainter a Star*

Hollywood, May 9.—Fay Bainter today was elevated to stardom by Warners. Her first assignment under the new contract will be "Forgive Us Our Trespasses," from the Lloyd C. Douglas novel.

## *Swedish Group Formed*

Stockholm, May 9.—Publicity managers of the Swedish film trade have formed an organization, the Association of the Film Journalists. Ragnar Allberg is president and Dr. Gosta Werner secretary.

# Frisco Gives 'Pacific' Big $24,400 Draw

San Francisco, May 9.—"Un Pacific" drew a sensational $24,400 di first week at the Fox. Second bes showing was made by "East Side o Heaven" and "Romance of the Red woods," with $9,800 at the Orpheum "Dark Victory" and "Kid fro Texas" took $6,600 in the second wee at the St. Francis.

Estimated takings for the week ending May 1-4:

**"They Made Her a Spy" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) days. Stage: vaudeville. Gross: $12,00 (Average, $15,000)

**"East Side of Heaven" (Univ.)**
**"Romance of the Redwoods" (Col.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) days. Gross: $9,800. (Average, $8,000)

**"The Hardys Ride High" (W. B.)**
**"Society Lawyer" (M-G-M)**
PARAMOUNT—(2,740), (15c-35c-40c-55c 75c) 7 days, 2nd week. Gross: $9,50 (Average, $11,500)

**"Return of the Cisco Kid" (20th-Fox)**
**"Inside Story" (20th-Fox)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c 7 days. Gross: $10,000. (Average, $12,00

**"Union Pacific" (Para.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days Gross: $24,400. (Average, $16,000)

**"Dark Victory" (W. B.)**
**"Kid From Texas" (M-G-M)**
ST. FRANCIS—(1,400) (15c-35c-40c-55c 75c) 7 days, 2nd week. Gross: $6,60 (Average, $6,000)

**"Wuthering Heights" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c 55c-65c) 7 days, 4th week. Gross: 6,40 (Average, $8,000)

**"Pearls of the Crown" (Gallic)**
CLAY—(400) (15c-35c-40c) 7 days, 2n week. Gross: $650. (Average, $1,000)

**"Maxim Gorky" (Amkino)**
LARKIN—(390) (15c-35c-40c) 7 days Gross: $550. (Average, $1,000)

## *'Victory' at $7,500 Indianapolis Leade*

Indianapolis, May 9.—"Dark Victory" led the town with $7,500 at th Indiana. At the Circle, "Zenobia" o the screen and Jimmy Dorsey's ban show on the stage did an excellen $7,000.

Estimated takings for the week ending May 5:

**"East Side of Heaven" (Univ.)**
**"Mystery of the White Room" (Univ.)**
APOLLO—(1,100) (25c-40c) 7 days, 2n week. Gross: $2,400. (Average, $2,500)

**"Zenobia" (U. A.)**
CIRCLE—(2,800) (25c-40c) 7 days. Stage Jimmy Dorsey band show. Gross: $7,000 (Average, $5,000)

**"Dark Victory" (W. B.)**
INDIANA—(3,200) (25c-40c) 7 days Gross: $7,500. (Average, $5,000)

**"Sergeant Madden" (M-G-M)**
**"King of the Turf" (U. A.)**
LOEW'S — (2,800) (25c-40c) 7 days Gross: $4,400. (Average, $7,000)

**"Return of the Cisco Kid" (20th-Fox)**
LYRIC—(2,000) (25c-40c) 7 days. Stage Joe Sanders' band show. Gross: $9,700 (Average, $8,000)

## *Retitle Warner Picture*

"Elizabeth and Essex" is the new title for Warners' "The Knight an the Lady." The film, based on Maxwell Anderson's play, "Elizabeth th Queen," will feature Bette Davis an Errol Flynn, Michael Curtiz directing

## *RKO Managers Switch*

Jules Levy, RKO general sales manager, has shifted Herb Greenblatt from Cleveland branch manager to Pittsburgh, and George Lefko from Pittsburgh to Cleveland.

# Fair, Fleet, Heat Blow to Broadway

Broadway suffered its most serious slump in many weeks over the weekend with both film houses and legitimate stage theatres doing badly at the box-office. Midsummer temperatures, the World's Fair and the U.S. Fleet were generally regarded as the contributing factors. First run houses reported business at 40 to 50 per cent below normal, with some estimating grosses at 60 per cent below.

*but*

"Rose of Washington Square" got off to a good start at the Roxy with more than 60,000 seeing the film in the first three days.

From Motion Picture Daily

*and*

**in Baltimore, the New Theatre came within $300 of "Alexander's Ragtime Band's" opening day record!**

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

# 'Victory' Is Philadelphia $18,500 Lead

Philadelphia, May 9.—"Dark Victory" took $18,500 at the Boyd. Holding up strong for a third week, "Wuthering Heights" got $8,500 at the Aldine.

"Cisco Kid" on the Fox screen and Tony Martin on the stage, accounted for $18,000.

Estimated takings for the week ending May 5:

**"Wuthering Heights" (U. A.)**
ALDINE—(1,300) (32c-42c-57c) 7 days, 3rd week. Gross: $8,500. (Average, $8,160)
**"Heart of Paris" (Tri-Nat.)**
ARCADIA—(600) (25c-42c-57c) 4 days. Gross: $900. (Average, 7 days, $2,800)
**"Dark Victory" (W. B.)**
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $18,500. (Average, $14,000)
**"Three Smart Girls Grow Up" (Univ.)**
EARLE—(2,000) (26c-32c-42c) 7 days, 3rd run. Gross: $6,200. (Average, $8.000)
**"Return of Cisco Kid" (20th-Fox)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days (6 days stage show). Stage: Tony Martin on stage. Gross: $18,000. (Average, $16,000)
**"Alexander Graham Bell" (20th-Fox)**
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $3,000. (Average, $4,000)
**"Hardys Ride High" (M-G-M)**
KEITH'S—(2,000) (32c-42c-57c) 7 days, 2nd run. Gross: $5,400. (Average, $4,000)
**"Mutiny of Elsinore" (Argyle)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $3,800. (Average, $4,500)
**"Castles in the Air" (RKO)**
STANLEY—(3,700) (32c-42c-57c) 4 days. Gross: $5,000. (Average, 7 days, $14,000)
**"Streets of New York" (Mono.)**
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $4,000. (Average, $7,000)

# 'Wuthering' Does $11,500, Cleveland

Cleveland, May 9.—"Wuthering Heights" at Loew's State did $11,500.

"Three Smart Girls Grow Up" drew $12,000 at Warners' Hippodrome. "The Return of the Cisco Kid" on the RKO Palace with a stage show did $15,000 and "The Story of Vernon and Irene Castle" in the second week at the Allen grossed $4,000.

Estimated takings for the week ending May 3:

**"The Story of Vernon and Irene Castle" (RKO)**
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
**"Three Smart Girls Grow Up" (Univ.)**
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $12,000)
**"The Return of the Cisco Kid" (20th-Fox)**
RKO-PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Red Norvo and Orchestra, Mildred Bailey, John Payne. Gross: $15,000. (Average, $15,000)
**"Wuthering Heights" (U. A.)**
LOEW'S STATE—(3,500) (30c-45c-42) 7 days. Gross: $11,500. (Average, $11,000)
**"The Lady's From Kentucky" (Para.)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $2,500. (Average, $4,000)
**"The Edge of the World" (Pax)**
**"Mayerling" (Pax)**
CITY—(485) (35c-42c) 7 days. Gross: $750 (Average, $900)

## *Dietz Ampa Speaker*

Howard Dietz, M-G-M advertising and publicity director, is scheduled to be on the Ampa program tomorrow at the Astor. Gene Towne, screen writer, is also on the program, which will feature a debate between Dr. J. S. List, psychologist, and Harry Goldberg, Warner Theatres advertising head, on the merits of film advertising methods.

# *Hollywood Previews*

## *"For Love or Money"*

*(Universal)*

Hollywood, May 9.—Universal's "For Love or Money" is a blithe melodrama of bookmakers, gangsters, odd betting room habitues and young lovers, fashioned from story material which would do credit to Damon Runyon's particularly easy flowing style. A new angle to crime stories, the picture was heartily greeted by the preview audience.

June Lang and Robert Kent are the romantic leads, and the rest of the cast is composed of Cora Witherspoon, Etienne Girardot, Edward Brophy, Richard Lane, Horace MacMahon and Edward Gargan. Charles Grayson and Arthur T. Horman adapted the original story by Daniel Taradash, Julius Blaustein and Bernard Feins and put forth a most creditable job. Albert S. Rogell directed the Max Golden production.

Kent and Brophy, working for Lane, a bookmaker, lose $50,000 belonging to their employer. Tracing it, they find that Miss Lang has received the money through the mail. Disbelieving their story and thinking that a "double cross" is being attempted, Lane gives the pair 36 hours to return the money. However, Miss Lang has spent all but $6,000. All ends well but not without a succession of coherently hilarious events.

Running time, 67 minutes. "G."* VANCE KING

## *"The Rookie Cop"*

*(RKO)*

Hollywood, May 9.—RKO's "The Rookie Cop" is a formula patterned story of policemen and crooks, lightened by the introduction of Ace, a well trained German Shepherd dog which the hero of the story uses to good effect in capturing criminals. It has a ready made appeal to animal lovers and children.

The cast is composed of Tim Holt, as the young officer; Virginia Weidler, a nine-year-old girl anxious to become a policewoman; Janet Shaw, in the role of the police chief's daughter; Frank M. Thomas, Robert Emmett Keane, Monte Montague, Don Brodie, Ralf Harolde and Muriel Evans.

Morton Grant and Jo Pagano wrote the screenplay from an original by Guy K. Austin and Earl Johnson. Bert Gilroy produced and David Howard directed.

Holt, arousing the ire of the police commissioner by his insistence that police dogs should be used by the department, is captured, when suspended from duty, by the gang of criminals which have been looting the city. Held with him is Janet Shaw, the police chief's daughter. The dog manages to track down the criminals and aids in the rescue.

Running time, 60 minutes. "G."* VANCE KING

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*"G" denotes general classification.

## *"Panama Lady"*

*(RKO)*

Hollywood, May 9.—Melodrama and romance in Panama and the South American jungles is the subject matter of "Panama Lady." Name value is represented by Lucille Ball and Allan Lane, who are the stars, Steffi Duna, Evelyn Brent, Donald Briggs, Bernadene Hayes, Abner Biberman (purveyor of the film's comedy), William Pawley and Earle Hodgins.

Broke and jobless in Panama, after being inconsiderately treated by fiance Briggs, Miss Ball is an unwilling accessory in the "rolling" of a drunk, Lane, in Miss Brent's saloon. Going into the jungles with Lane, as his housekeeper, her life is menaced by the jealousies of a native girl, Miss Duna. Miss Ball, honestly working out her part of the bargain, nevertheless has left behind a clue that will enable Briggs to rescue her. This worthy, a gun runner and international crook, arrives simultaneously with Lane's discovery of oil on his concession. Prevented from stealing the unrecorded claim to it by the girl, Briggs subsequently is killed by Lane and Miss Ball escapes the jungle. The story, which thus far have been told in retrospect, becomes timely when Lane, now rich, finds the discouraged heroine destitute in New York and gives her a new start in life.

Based on a story by Garret Fort, which Michael Kanin adapted, Jack Hively's direction is about the most convincing feature marking a production in which it is obvious that the players had little interest.

Running time, 65 minutes. "A."* G. McC.

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*"A" denotes adult classification.

# 'Hardys' wit Good $7,600 I Seattle's Bes

Seattle, May 9. — "The Har Ride High" and "The Kid Texas" at the Paramount led with $7,600. "Wuthering Heights" the Music Box was strong with $5,( Other grosses were generally we The weather was fair.

Estimated takings for the week e ing May 5:

**"Alexander Graham Bell" (20th-Fox)**
**"Sudden Money" (Para.)**
BLUE MOUSE—(950) (30c-40c-55c) days, 2nd week. Gross: $3,800. (Aver: $4,000)
**"Dark Victory" (W. B.)**
**"Society Lawyer" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55 days, 2nd week. Gross: $6,100 (Aver: $7,000)
**"Wuthering Heights" (U. A.)**
MUSIC BOX—(950) (30c-40c-55c) 7 d Gross: $5,600. (Average, $5,000)
**"The Hound of the Baskervilles" (20th-Fox)**
**"Spirit of Culver" (M-G-M)**
ORPHEUM—(2,450) (30c-40c) 7 d Gross: $5,400. (Average, $6,000)
**"Mexicali Rose" (Repub.)**
**"Mystery of Mr. Wong" (Mono.)**
PALOMAR—(1,500) (15c-25c-35c-40c) days. Vaudeville headed by Frank Mitcl Gross: $4,900. (Average, $5,000)
**"The Hardys Ride High" (M-G-M)**
**"The Kid from Texas" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 d Gross: $7,600. (Average, $6,000)
**"The Lady Vanishes" (G. B.)**
UPTOWN—(750) (30c-40c) 7 days, week. Gross: $1,200. (Average, $1,500

# 'Midnight' Draws Pittsburgh $13,0(

Pittsburgh, May 9.—"Midnight' Loew's Penn drew $13,000 and Stanley had $12,500 for "Stagecoa in a generally dull week. "Alexan Graham Bell" took $3,500 in its ond week at the Senator, and "K of the Turf" $3,500 at the Fulton.

**"Streets of New York" (Mono.)**
**"Wife's Relatives" (Rep.)**
ALVIN—(1,900) (25c-35c-50c) 7 d: Gross: $3,800. (Average, $7,000)
**"King of the Turf" (U. A.)**
FULTON—(1,700) (25c-40c) 7 days. Gr $3,500. (Average, $5,000)
**"Midnight" (Para.)**
LOEW'S PENN—(3,600) (25c-35c-50c days. Gross: $13,000. (Average, $15,000
**"Alexander Graham Bell" (20th-Fox)**
SENATOR—(2,000) (25c-40c) 7 days, week. Gross: $3,500. (Average, $3,800)
**"Stagecoach" (U. A.)**
STANLEY—(3,600) (25c-35c-50c) 7 d: Gross: $12,500. (Average, $17,000)
**"Sudden Money" (Para.)**
**"Crowded Hours" (RKO)**
WARNER—(2,000) (25c-40c) 7 d: Gross: $3,800. (Average, $4,500)

## *Set Game Case Hearin*

Madison, Wis., May 9.—State preme Court will hear arguments M 12 on Circuit Judge Robert S. Cowi civil action against La Crosse T atres Co. and Welworth Theat Inc., La Crosse, Wis., to stop Ba Night as a public nuisance.

## *Ask Game Case Delay*

Christos Carnavos, manager a part owner of the Momart, Brookl will apply for an adjournment to of the trial of charges of operating lottery when the case is called in S cial Sessions. Harry G. Kosch, attorney, will move Friday to tra fer the case to the County Court that a jury trial may be obtained.

# RULING FAVORITES

EASTMAN'S three new motion picture negative films have quickly established themselves as the favorites of the industry. *Plus-X* for general studio work . . . *Super-XX* for all difficult exposures . . . fine-grained *Background-X* for backgrounds and all-round exterior work. Each makes its special contribution, and all have that typical reliability closely identified with Eastman films. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

**EASTMAN *Plus-X . . .***
***Super-XX . . . Background-X***

# Independents Of Oklahoma Form Allied

OKLAHOMA CITY, May 9. — Independent exhibitors formed Allied Theatre Owners of Oklahoma at a meeting here today after dropping the idea of a buying pool to compete with circuit houses.

Temporary officers elected were Orville Vongulker, operator of the Roberta, Okeene, chairman; C. E. Norcross, of Seiling, secretary-treasurer; and George W. Sumner, manager of Sumner Theatre Supply Co., corresponding secretary.

### Cole Addresses Meeting

Col. H. A. Cole, national president of Allied, urged the meeting to form a unit of Allied. Next meeting of the organization committee will be held in 30 days, when plans for a membership drive and the first convention will be laid. Dues were fixed at one cent per seat per month.

Organization committee includes officers and A. E. Moulder, of Sapulpa; John Gray, nid; Mrs. Juanita B. Berry, Norman; and A. B. Momand, Shawnee.

Others present included George Schultz, Taloga; Sam Caporal, Oklahoma City; William H. Strickler, Sand Springs; J. E. Holt, Coal Gate; Royal T. Shield, Enid: J. D. Lankisler, Allen; and A. M. Ausherman, Wakita.

# *K. C. Censors Overrule Protests on 'Nazi Spy'*

(*Continued from page* 1)

endorsed by leading patriotic societies who do not subscribe to the Nazi regime and by American war service and educational societies everywhere. Our picture is based upon exposures of Nazi espionage activities in the United States which are a matter of court record. It deals with subversive activities of the Nazi regime, not in Germany, but right here in our own U. S. A. and is a matter of grave concern to every American citizen.

"Our picture was passed by the Kansas City censor board and no question was raised by the censor board as to its propriety. We do not believe that any group, instigated by a German Vice Consul, should interfere with the right of American citizens to see it.

"We feel the petition against our picture is un-American and repugnant to our citizens. Naturally we do not expect every individual to agree with the contents of our story, but we feel that no one other than the duly constituted authorities has the right to censor American motion pictures."

The first information Warners had of the attempt to suppress "Confessions of a Nazi Spy" in Kansas City was from yesterday's MOTION PICTURE DAILY.

Father Charles E. Coughlin of Royal Oak, Mich., in his Sunday radio address, cited the picture as an instance of what he termed "the invasion of propaganda" in the United States in behalf of Great Britain.

A Release Date to Remember
MAY 25th

HOWARD HAWKS' PRODUCTION
Starring
CARY GRANT ★ JEAN ARTHUR
ONLY ANGELS HAVE WINGS
Story and Direction by HOWARD HAWKS
A COLUMBIA PICTURE

## *'Jamaica Inn'*

**London, May 9.—"Jamaica Inn," press previewed here today by Associated British Pictures and Mayflower Productions, is another personal triumph for Charles Laughton, as the rich-living Regency squire running a ruthless shipwrecking gang on the Cornish coast.**

**Laughton dominates the bloody tale of murder and coastal thuggery, directed in the straightforward style of Alfred Hitchcock, and brilliantly photographed. Maureen O'Hara also scores. It is melodramatic material which should be readily exploitable on both sides of the Atlantic. Paramount will release the film in the United States.**

**Flanagan**

## *Agnew Opposes U. S. Trust Action Plea*

Neil F. Agnew, vice-president of Paramount, filed an affidavit yesterday with Federal Judge William Bondy in opposition to the application of the Government for an order to relieve it of the necessity of naming witnesses in its anti-trust suit against the eight majors.

Agnew's affidavit reiterated the statements made in the filed affidavits of Ned E. Depinet, vice-president of RKO; William F. Rodgers, general sales manager of M-G-M; Sidney R. Kent, president of 20th Century-Fox, and Gradwell Sears, general sales manager of Warners, to the effect that the majors would not resort to reprisals against witnesses.

David L. Podell, prominent trust attorney, is studying the Government's case and will act as Government adviser, it was disclosed yesterday. There is a possibility that he may be appointed a special assistant attorney general for the purpose of conducting the trial.

## *Actor Guild Orders Class B Mail Vote*

HOLLYWOOD, May 9.—Screen Actors' Guild yesterday ordered a mail ballot sent out to Class B members for a new vote for the board of directors. The original balloting was declared improper because of the lack of a 20 per cent quorum. An injunction obtained by Ed Aquilana, Ed Heim and Paul Cook, three of the 17 elected at the first election, was dissolved over the weekend and the S.A.G. decided to go ahead with its new election.

## *Uphold Metro Judgment*

HOLLYWOOD, May 9.—Judgment for $10,000 awarded to Henry Barsha and David Weissman, authors, against M-G-M for alleged plagiarism of their story "High Fever," in "A Day at the Races" was upheld by the District Court of Appeals today.

# Warners Boos
# NeighborFilm
# For America

Pleased with the "Good Neighb
importance of "Juarez," Warners
other films dealing with the str
for independence and democracy in
western hemisphere, Sam E. Mor
vice-president of Warners, said h
yesterday.

The next Warner "Good Neighb
picture will have General Sin
Bolivar, renowned as the Geo
Washington of South America, as
central figure.

Morris said that "Juarez" will
invaluable in cementing relations
tween the United States and its neig
bors to the south of it. Warners v
release the film simultaneously
South America's most important cit
in July.

"Our finger is constantly on
South American pulse," Morris sa
"We have 32 branch offices in
territory, and we feel 'Juarez' w
have wider distribution and grea
returns than any picture previou
released in South American countrie

## *British Exhibitors Warned on Unio*

LONDON, May 9.—F. W. Leggett
the British Labor Ministry, at a jo
luncheon of exhibitors and labor i
terests today, issued a friendly b
pointed warning that exhibitors
not attempt to prevent employes fro
joining unions.

The luncheon celebrated the instit
tion of the National Wages Boa
Leggett complimented the exhibito
for their cooperation in the setti
up of wage agreements. The secr
tary of the National Association
Theatrical and Kine Employes sa
that wage increases totaling $2,275,0
are provided under current agre
ments.

## *Three Illinois Bills Face Defeat, Beli*

CHICAGO, May 9.—Three bills
interest to the motion picture indu
try, entered by Senator Joseph Me
del in the state senate at Springfiel
are ready for second reading.

One bill would make it unlawf
for children under 14 to enter a th
atre after 9 P. M. or stay later th
10 P. M. Another measure would e
tablish a state censor board of thr
members. The third bill seeks divorc
ment of theatre ownership from pr
ducers and distributors.

Local exhibitors and circuit exec
tives are not fighting the bills, co
fident that they will not pass.

## *Massey Awarded Meda*

Raymond Massey, star of "A
Lincoln in Illinois," was awarded t
Delia Austrian medal for the mo
distinguished performance of the ye
by the Drama League of New Yo
at a luncheon at the Hotel Pierre ye
terday. Massey is scheduled to lea
his Broadway role July 1 to take t
same part in RKO's screen version
the play. Channing Pollock was ma
ter of ceremonies and Daniel Frohm
presented the medal to Massey.

# FROM A FULL BELLY—

This cat lives on East 117th Street.
It's a crowded block.
You'll find all creeds and races on it
You'll find Protestants, Catholics, Jews
You'll find French, Greek, German, Italian
They get along all right with each other—
It's nice.
Americanism grows that way!
Like a beacon of hope in a distressed world.
You're part of it today!
You're helping to encourage it in New York City
By your support of the GREATER N. Y. FUND
It sets an example to the entire country—
A thrilling challenge to a bigoted world!
A city's people joining hands regardless of race
To help their sick, their needy, their unfortunate—
380 allied groups in one united drive annually
Covering all communal obligations at one time.
Rich man, give in proportion to your means!
And you and you and you—give a day's pay!
Be part of GREATER N. Y. FUND's most successful year
It's your chance to show the world of 1939
The true meaning of the American way.

*The Fund Chairman of your company will communicate with you. Others kindly send contributions direct to Motion Picture Division, Greater New York Fund, 1540 Broadway, New York City*

# CBC and U. S. Webs Arrange New Exchange

MONTREAL, May 9.—Several programs of the Canadian Broadcasting Corp., including at least three Vancouver productions, will be heard on the NBC and CBS networks as the result of a new agreement for exchange of features between Canada and the United States.

The agreement is seen as a gesture of goodwill between the two countries and will augment the present international exchange system, starting immediately.

The new programs will be fed to U. S. nets from the Vancouver studios of CBC and programs fom NBC and CBS will be relayed north by Pacific Coast lines. Arrangements for the new service were completed by Peter Aylen, manager of CBR, western key station of CBC and executives of the U. S. networks. The tentative schedule calls for 14 Canadian programs to be released to the south and approximately the same number of U. S. programs to be added to the CBC schedule.

## *Prudential Taking New Series on CBS*

Prudential Insurance Co., which partially transferred its account to Benton & Bowles, will sponsor a new dramatic serial over CBS as a 15-minute, five times weekly, feature at 2:45 P.M. Program will carry the title of "When a Girl Marries," and will be written by Elaine Sterne Carrington, author of the current "Pepper Young's Family."

Entrance of Prudential into the radio field makes it the second major insurance company to try radio in the past few weeks, after an absence of years of that industry from the air. Other company is the Metropolitan Life, which is now sponsoring a series featuring Edwin C. Hill over WOR and WNEW in a test campaign preparatory to launching a network series.

## *Calls Television in England Routine*

TORONTO, May 9.—According to R. Pelletier, program director of CBC, returned from six months stay in England, televised programs have already become commonplace in England and television has already definitely arrived in the field of amusements.

"In a few years, most radio programs in England will be televised," declared Pelletier. "Plans are being made to bring the cost of television receiving sets within the budget of the average citizen. Hundreds of people already own television sets and programs are being received every day."

## *Series from Fair Today*

New series of interview programs from the World's Fair grounds starts today on WMCA, and will be presented daily at 2:30 P.M., with the Coward Shoe Co. sponsoring. Sam Taylor will conduct the interviews.

## *For the Asking*

**San Francisco, May 9.—Being a part of the radio business isn't so bad, according to Bill Baldwin, master of ceremonies of KSFO's morning variety show, "Dawn Patrol." After telling listeners he had never seen a real chunk of raw gold, being from the middle west, Baldwin received in the mail a pure nugget, sent by a listener in Sonora, in the Mother Lode.**

# WABC Billings Up 327% During April

WABC time sale billings for April increased 327 per cent over the same month last year. First four months of the year show an increase of 127 per cent over the similar period of 1938, while billings for the first week of May are 210 per cent above the same week last year.

The gains are due to the sponsorship of the baseball games this season by General Mills, Socony Gas and Procter & Gamble, but even without the baseball billings, billings on the CBS key station show marked improvement. The April gains without the baseball billings are 194 per cent over last year, while the cumulative four month gain without the sport business is up 104 per cent over the previous year.

Among current clients using WABC are Liggett Drug Co., Tom McCann Shoe Co., Horn and Hardart, Gordon Baking, Bosco Products, Brown & Williamson, Packers Soap, Energetic Shoe Co.

WABC time is the most expensive in the country, the base night time hour rate being $1,200.

## *'Horizon' on Air*

James Hilton's "Lost Horizon" will be the "Hollywood Playhouse" production over the NBC-Blue network at 9 p. m. Sunday with Gale Page and Charles Boyer in the lead parts.

## *Conrad Nagel Is M. C.*

Conrad Nagel has been signed as M.C. on the summer substitute program which the sponsors of Fibber McGee and Molly will start July 4 over the NBC-Red, 9:30 P.M.

# *Radio Personals*

EUGENE THOMAS, sales manager of WOR, left New York yesterday to marry Sunny Maxwell in Cleveland. He will return to New York in two weeks following a honeymoon. Staff of WOR tendered him a bachelor dinner Monday night at the Cornell Club. . . .

Duke Ellington returns today from Europe. . . . Frank Gallagher, deputy director of broadcasting for the Irish government, is sailing for home today. . . . Guest of Radie Harris on Mutual tonight will be Virginia Field. . .

Margaret Cuthbert, director of women's program for NBC, is on her way to San Francisco where she will address the Federation of Women's Clubs convention on May 11.

# Ford Again to Keep Summer Program

For the second time in the six years the Ford Motor Co. has been sponsoring programs in radio, the company will continue on the air throughout the summer through a contract signed yesterday.

The Ford "Sunday Evening Hour," broadcast Sundays from 8 to 9 P.M. over CBS, will halt on its usual closing date, June 4, but the period will be occupied immediately with another full hour show. Talent for the new series has not been selected as yet, but the program definitely will not consist of talent recruited from the Ford motor plants, as has been reported.

Only once before—in 1937—has Ford carried on through the summer. At that time the "Universal Rhythm" program was expanded into an hour show and fitted into the time vacated by the Sunday Evening Hour. N. W. Ayer & Son is the Ford agency.

## *WINS Will Carry Coughlin's Talks*

WINS, Hearst radio station, has become the New York outlet for Father Charles E. Coughlin's Sunday radio addresses. Father Coughlin has been without a New York City outlet since WMCA cancelled the contract to carry the talks.

# *New Television Lighting System for NBC Studio*

A new system of television studio lighting has been devised by NBC, installed and successfully tested. A patent application covering the system, devised by William C. Eddy, NBC television engineer, has been filed by RCA, it is understood.

Tests during televising in the past several weeks indicate that it may become a standard for television studios and perhaps may find application in the Hollywood film studios, according to O. B. Hanson, NBC vice president in charge of television.

Basically, the system consists of remotely controlled multiple lamp units fixed to the ceiling. Each unit, mounting a bank of six lamps, may be raised or lowered or tilted at a considerable angle, and swung through nearly a complete circle in focusing the illumination on any desired spot.

Remote control makes it possible to change the lighting setup at any point in a performance without interfering with camera action. Lights can now be set up in 10 minutes where formerly it required several hours.

## *FCC Calendar*

WASHINGTON, May 9.—Dates
hearings on broadcasting applicati
have been set by the Federal C
munications Commission as follows

May 12: Application of KRC
Sacramento, for extension of t
from day to unlimited.

May 17: Application of N
Frank for a new 1,500-kilocycle,
watt station at New Bern, N. C.

May 29: Application of Bro
County Broadcasting Co. for a 9
kilocycle, 1000-watt daytime station
Brownwood, Tex.

June 12: Application of KTS
Emporia, Kan., for extension of ti
from day to unlimited.

June 16: Applications of Casc
Broadcasting Co., Inc., for a 1,4
kilocycle station at Everett, Was
with 100 watts night, 250 watts d
and KRKO, Everett, Wash., for
crease of time from sharing to
limited and increase of power from
watts to 100 watts night, 250 wa
day.

June 21: Application of WSP
Spartanburg, S. C., for change of f
quency from 920 to 1,120 kilocyc
and extension of time from day to
limited with power of 500 watts nig
1,000 watts day.

June 27: Application of KGL
Mason City, Ia., for change of f
quency from 1,210 to 1,270 kilocyc
and increase of power from 100 wa
night, 250 watts day, to 1,000 wat

June 28: Application of Bellingh
Broadcasting Co., Inc., for a n
1,200-kilocycle station at Bellingha
Wash., with 100 watts night, 2
watts day.

July 31: Application of WH
Madison, Wis., for change of f
quency from 940 to 670 kilocycles,
tension of time from day to unli
ited and increase of power from 5,
to 50,000 watts.

## *Kate Smith to Get New Hour In Fa*

The Kate Smith hour, which s
rocketed in popularity this seas
will move to Friday nights, 9 to
o'clock, in the fall. It is predic
that in this spot the Kate Smith h
will occupy one of the three top po
tions among all radio shows. It is n
in fifth place.

## *Baseball Quiz to Start*

"Hit That Ball," new baseball q
game, will start Friday over Mut
from 10 to 10:30 P.M. Stan Lom
will be M.C., with Tom Slater
sisting. Guests on the initial sh
will include John Drebinger of t
sports staff of the *New York Tim*
Ken Smith of the *Mirror* and Har
Forbes of the *News.* Coach Ha
Lobert of the Phillies is picking th
members of his squad to comp
against the scribes.

## *WPA Series May 19*

A new series of half-hour drama
programs, "Women in the Making
America" will start over the NB
Blue May 19 at 2 P.M. Broadca
are being produced by the Feder
Theatre Radio Division of t
W.P.A. in cooperation with NBC.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 45. NO. 91 NEW YORK, THURSDAY, MAY 11, 1939 TEN CENTS

# U' 6-Month Net Figured At $400,000

## 'o Be First Half-Year Profit in 8 Years

'niversal's earnings for the first lf of the fiscal year ended May 1 e estimated at approximately $400,- 0 by Wall Street sources. Result arks the first time in more than eight ars the company has shown a prof- for a half-year period.

The company reported a profit for e final quarter of its fiscal year ded Nov. 1, although operations for e year ended in a loss. Thus, with e profitable six-month period just ded, Universal has been in the black r nine months past, a record for the mpany not matched within the past years.

Result for the six months ended ay 1 compares with a loss of ap- oximately $500,000 for the corres- nding period last year.

The Universal estimate is under- ood to be before final reports on for- gn receipts for the period, which ay affect the result materially in ther direction.

## Late Flashes

Los Angeles, May 10.—Secret ne- tiations seeking settlement of differ- ces between I. A. T. S. E. interna- nal officers and leaders of Studio chnicians, Local 37, have met with success thus far. Both sides today ld little hope of adjudicating dispute fore May 22, when countersuits will retried. Meanwhile authorities ened an inquiry into arrest of Jeff ibre, local minority leader, on crim- al syndicalism charge.

•

London, May 10.—A joint meeting various branches of the industry, cluding the Cinematograph Exhibi- rs' Association and the Kinemato- aph Renters' Society (distributors) ill be held tomorrow at the head- arters of the K.R.S.

•

Hollywood, May 10.—M-G-M to- y said Jeanette MacDonald's next cture may be musical version of miling Through," last made with orma Shearer in top role. RKO gned Richard Dix to term con- act and set his next picture as Reno ory of Nevada's settlement. Robert sk will direct.

## English Houses Aid Recruiting of Army

**London, May 10.—All British theatres, beginning May 22, will lend their screens to aid the enlistment drive of the British Territorial Army. Shown will be a newsreel appeal by Leslie Hore-Belisha, British Minister of War, and appropriate slides.**

# Columbia Provides Reserve Producing Budget of 2 Million

Atlantic City, May 10.—Columbia will have a reserve production budget of over $2,000,000 which may be drawn upon as individual productions on the new season's program merit, the company's annual sales meeting, in progress at the Ritz-Carlton here, was told today.

The reserve budget is in addition to the production appropriation for the new season's program which was described earlier as being $5,000,000 higher than the budget for any preceding year.

The proposed formula for the company's new season sales policy will be based on division of the program into two groups of "high bracket" productions of six and eight pictures each and a further division of the remaining 26 features into two additional groups. Two others will be sold separately.

Columbia will begin its 1939-'40 selling activities with more "pre-sold" accounts than ever before, Abe Montague, general sales manager, reported. He attributed the situation to the policy of franchising certified accounts, which was instituted for both independent and affiliated customers last year. As a result, Columbia's sales force will be able to concentrate on the smaller accounts and extend-

(Continued on page 7)

# ALLIED PROPOSES BOOKING COMBINE OF 2,500 HOUSES

## Minneapolis Convention Will Get Report After Two-Year Study; Company Heads Express Skepticism

A proposal for the formation of what would be the largest independent buying and booking combine in the industry's history—embracing about 2,500 theatres—will be presented to the Allied States national convention in Minneapolis June 13 to 15, *Motion Picture Herald* will say in tomorrow's issue.

Authorization to put the detailed plan for formation of the combine before the convention has been given by W. A. Steffes, vice president of Allied and in charge of convention arrangements.

Steffes, the *Herald* states, would not divulge the identities of the plan's sponsors, although it is recalled that a somewhat similar proposal was made by H. A. Cole, now president of Allied, at the organization's national convention in Milwaukee in 1937. The plan was rejected then when put to a vote, but Cole was delegated to attempt to work out a detailed plan with a committee. When called upon for a report at Allied's Pittsburgh convention last year, the committee said it had been unable to complete a plan.

### Two-Year Study

It is now believed, the *Herald* says, that the two-year report will form the basis of the program to be presented in Minneapolis next month. The proposal has attracted considerable interest among theatres outside Allied's ranks, according to the *Herald.*

Reported basis of the proposal is the establishment of a national organization headed and operated directly by Allied's national board of directors through its regional affiliations. Officers of the company would be elected by the Allied board. Financial cost and support of the company would be derived from a levy—probably of three per cent, the *Herald* says—against the annual film rentals of participating members.

### Arguments For Plan

Among the arguments which it is believed the sponsors of the plan will use in urging it upon the convention are that no adjudication of anti-trust suits now pending, which would be likely to alter existing buying practices, can be expected for a long time; that state legislatures have mostly adjourned already with no relief of the kind sought by Allied having been forthcoming; that there is now little

(Continued on page 7)

# Deny Ban Upon U.S. Pictures in Mexico

Published reports that American films are being banned throughout Mexico as a result of a dispute between the Confederation of Mexican Workers and the Rodriguez circuit in Monterey were denied here yesterday by home office foreign departments following communication with their Mexico City offices.

Extent of the trouble, which was created by inter-union rivalry, was reported from Mexico City as having been confined to two pictures in two theatres of the Rodriguez circuit in Monterey, against which a strike has been in progress by the Confederation for the past two or three weeks.

The situation was compared here with that created by Local 306 some weeks ago when demands were made upon distributors to stop film service to theatres employing members of the rival Empire State Operators Union.

## Hearings May 25-26 Upon Bill For Repeal of Fight Film Ban

**Washington, May 10.—Hearings on the Barbour bill which seeks to repeal the ban upon fight films will be conducted on May 25 and 26.**

**A Senate interstate commerce subcommittee, headed by Senator Lundeen of Minnesota, will hear such witnesses as Jack Dempsey and other nationally prominent boxing figures.**

**Representatives of film and broadcasting industries are expected to testify. Opposition is expected to be voiced by delegates from a number of civic organizations interested in the bill.**

# Harry Brandt Renominated As ITOA Chief

Harry Brandt was renominated as president of the I.T.O.A. and all other officers were renominated at a meeting yesterday at the Astor. The choice was unanimous.

Brandt had asked to be permitted to retire after five years in the presidency, but a strong "draft" move developed. Elections will take place May 24.

A six-member committee was appointed to represent the I.T.O.A. at the national Allied convention in Minneapolis June 13 to 15. Brandt is chairman and the others are Milton C. Weisman, I.T.O.A. counsel, Dave Weinstock, Rudy Sanders, Leon Rosenblatt and Lionel Toll.

It was disclosed that an agreement is being drafted with a view to eliminating giveaways in Manhattan in the area between 59th and 72nd Sts. Loew's, RKO, Brandt and Bolognino are the circuits operating in the area.

Along with Brandt, the following are the I.T.O.A. officers: Weinstock, first vice-president; Stanley Lawton, second vice-president; Rosenblatt, treasurer, and Maurice Brown, secretary.

Board members nominated include Weinstock, chairman; Bernard Pear, Sanders, Hyman Rachmil, Jack Hattem, Otto Lederer, Abe Shenk, Julius Charnow, Leo Brecher, Bernard Brooks, Frances Bregman, Ray Rhonheimer and Laurence Bolognino.

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# Purely Personal

Ernie Emerling of Loew's advertising department and Mrs. Emerling, before sailing yesterday on the *Queen Mary* for a European vacation, were wished bon voyage by many friends. Among them were Mr. and Mrs. Oscar Doob, Ben Serkowich, John McGovern and Matt Saunders of Bridgeport, Art Schmidt, Gene Murphy, A-Mike Vogel, Gertrude Merriam, Anna Ellmer, Will Gordon and Fred Waters.

•

George Raft and Lynne Overman arrived in New York by plane from Washington yesterday morning. Raft leaves today for Holland, Mich., and Overman will leave for the coast next week.

•

Shirley Ross, Paramount player, leaves today for a personal appearance at the Capitol in Atlanta, will return here May 19 and then go on to the coast.

•

Evelyn Venable, stricken in New York Monday, while touring with the "Union Pacific" special, went to Wilshire Hospital for observation on her arrival on the coast by plane.

•

H. M. Richey of RKO, Floyd Gibbons and Richard Leahy, Bay City, Mich., exhibitor, lunched yesterday at "21."

•

Richard V. Keifer of the Keifer circuit, Hardesty, Alberta, registered at RKO's World Fair headquarters.

•

Frank McKeown, Detroit branch manager for Ross Federal Service, is the father of a 7½-pound girl.

•

Leo Gorcey, member of the "Dead End Kids," and Katherine Mavis, drama student, will be married June 4.

•

H. M. Bessey, secretary-treasurer of Altec, has left for a 10-day trip to Baltimore and Atlanta.

•

N. L. Nathanson is in New York from Toronto for Paramount home office conferences.

•

Ben Roman, manager of the West End, is mourning the loss of his daughter.

Louis Hayward, who has finished work in "The Man in the Iron Mask," and his recent bride, Ida Lupino, are due in New York Monday for a brief visit.

•

Burton VanDoren, operator of the Hamilton, Waterbury, Conn., is confined to Grace Hospital with two broken ribs suffered in a fall.

•

Oscar Doob, Ted Curtis, Herman Bernie, Cal Swanson, Harry Arthur, Bill German at Bob Goldstein's Tavern yesterday for lunch.

•

John Weber of Mecca Film Laboratories and Mrs. Weber return tomorrow on the *Volendam* from a Cuban cruise.

•

Paul Benjamin is recuperating at his home after a week's stay at the East Orange General Hospital for sciatica treatment.

•

Eddie Dowling is back from Boston where he starred in "Our Town" and opened the road show of "The White Steed."

•

E. J. Hudson, of United Detroit Theatres, is due in New York next week.

•

Stanton Griffis, William Gargan, Frank Morgan lunching at Sardi's yesterday.

•

John Hodge, assistant at the Strand, Providence, is coming to New York next week for a vacation.

•

Phil Goodman of the Columbia exchange in New York will be married June 10.

•

John Glackin, manager of the Strand, New Britain, Conn., is ill at home.

•

Al Wilkie, Paramount publicity manager, is recuperating from a recent illness.

•

Walter Lynch has returned from a short trip to Washington.

•

Irene Rich is in town, stopping at the Waldorf-Astoria.

# Rodgers Will Speak Before Allied Forum

William F. Rodgers, M-G-M general sales manager and chairman of the distributors' trade practice negotiating committee, will be a principal speaker at New York Allied's open forum on the last day of the unit's convention, to be held at the Astor May 23 to 25.

Other distribution executives will participate in the forum, as will exhibitor spokesmen. More than 1,000 are expected for the convention.

The convention will open with an eastern regional conference of Allied units. Col. H. A. Cole, president of Allied States and Abram F. Myers, general counsel, will speak on the second day.

## *Mayer Is Due Today After Capital Visit*

Washington, May 10.—Louis B. Mayer, M-G-M vice-president and production chief, yesterday and today made a visitor's tour of Washington with Howard Strickling, studio publicity head. Carter T. Barron, Loew Theatres division manager, acted as guide. Mayer had attended the Kentucky Derby in Louisville. He is due in New York tomorrow.

Mayer was guest of J. Edgar Hoover, who escorted him through F.B.I. headquarters. Tonight he was one of the honor guests at a party given by J. F. T. O'Connor, former Comptroller of the Currency, for members of the California delegation in Congress. Mayer's visit was entirely personal, it was said.

## *Court Sees Serial In Buck Jones Suit*

Los Angeles, May 10. — Federal Judge Hollzer today viewed Republic serial, "Lone Ranger," as exhibit in $250,000 suit brought against Republic Pictures Corp. and Republic Productions, Inc., by Buck Jones. Jones claims plagiarism, while companies contend script was bought from Lone Ranger, Inc., radio producer.

## *Universal Institutes Employe Insurance*

Nearly 1,000 employes of Universal in the home office and exchanges are covered by group accident and sickness insurance, according to S. Machnovitch, treasurer. The cost of the insurance, is shared by the company and the employes. Insured employes in the event of accident or sickness will receive up to $40 weekly, depending on their earnings.

## *Plan Nazi Boycott*

Non-Sectarian Anti-Nazi League held a meeting of foreign film distributors at the Hotel Astor yesterday to formulate plans for a boycott of German-financed films.

## *Basils' Father Dies*

Buffalo, May 10.—John Basil, 83, father of Nicholas, Constantine and Theophilos Basil, who operate Basil Brothers Co., circuit, died here.

## *Bob Ripley to Open Odditorium in June*

Robert L. Ripley disclosed yesterday that in June he will open an "Odditorium" at 48th St. and Broadway, to house his collection of oddities.

Leases have been signed for three and a half years for 30,000 square feet on three floors in the building on the corner formerly occupied by the Hollywood Deck, night club, and a Joseph Hilton store. The completed project, it was said, will represent an investment of $3,000,000, and the rental for the term of the lease about $300,000.

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DAILY
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MOTION PICTURE
DAILY

# Mulvey Quits Directorate of Wanger Prod.

Hollywood, May 10.—James Mul[illegible]y, one of three United Artists repre[illegible]tatives on the board of directors of Walter Wanger Productions, Inc., resigned yesterday. No immediate replacement is planned.

Other U. A. representatives on the board are Murray Silverstone and E. C. Erickson. Wanger and Percy Guth are the other directors.

Following individual meetings with branch managers this morning U. A. salesmen tendered a luncheon to Harry Gold and L. J. Schlaifer, Division Sales Managers, who were named U. A. vice-presidents, and presented them with appropriate gifts.

### Go to Fair at Frisco

Sessions continued this afternoon and delegates left tonight for the San Francisco Exposition, where tomorrow they will be guests of the company. Monroe Greenthal, exploitation head, and Al Margolies, publicity head, left for New York by plane today.

Features of the Gold-Schlaifer luncheon were laudatory talks by Silverstone, Harry Buckley and Arthur W. Kelly. Paul Lazarus was toastmaster. Congratulatory telegrams came from Charles Chaplin, Walter Wanger, Mary Pickford and others.

### Selznick's Birthday

Following the luncheon delegates went to the Hal Roach Studios and later to Selznick International for cocktail parties. At the latter the party honored David O. Selznick, whose birthday was today.

It was announced at today's meeting that Sol Lesser has acquired film rights to the play, "Our Town," and will produce it in color.

Silverstone, Gold and Schlaifer are to remain here for several days.

## *AFA Gains 5,000 Members in Year*

Membership in the American Federation of Actors is up to 15,000, with 5,000 joining in the past year, Ralph Whitehead, executive secretary, reported to the annual meeting at the Hotel Edison. Half the membership is in good standing. Eight council members were elected for four-year terms.

Four were reelected as follows: Rudy Vallee, Sally Rand, Jed Dooley and Walter Digges. Four new directors, Joe Smith, Lou Taylor, Avis Andrews and Adye Alyn, replace Ben Bernie, Harry Burns, Chic Yorke and Howard Dalton.

Sophie Tucker, president, spoke on the Sophie Tucker Hospital Fund for actors and said funds are being raised to provide hospital beds. Addresses were also made by Harry Richman, chairman of the council and others.

## *'Wuthering' Wins Poll*

'Wuthering Heights' has been voted the best picture of the month of April in a poll of film critics of the 19 Scripps-Howard newspapers over the country.

# *At UA Sales Convention*

RY GREAT PICTU
AT PRODUCER

*Presiding at United Artists sales convention in Hollywood were, left to right: Harry D. Buckley, vice-president; Harry Gold, vice-president; Murray Silverstone, head of world wide operations; Arthur W. Kelly, vice-president; L. J. Schlaifer, vice-president.*

## *Death Doesn't Stop Visit by Roosevelt*

**Washington, May 10.—Even the death of his friend, Carl R. Gray, who extended the invitation, failed to deter President Roosevelt from inspecting Paramount's "Union Pacific" special train yesterday in its stop here.**

**Gray, who retired as president of the Union Pacific railroad in 1937 after serving in that post for 17 years, received Roosevelt's promise to accompany him on an inspection of the train.**

**Gray was found dead in bed in his hotel yesterday morning. When the President received this news, he declined to cancel his plan to see the train.**

## *See New Contracts As Australia Hope*

The Australian film industry is "hopeful" that most of its difficulties—trade and legislative—will be solved by the new standard contract now being drafted, Harry Hunter, Australian manager for Paramount, said yesterday on his arrival in New York. Success of the contract, he believes, may prevent the spread of adverse legislation among the Australian states.

Cancellation looms as one of the most difficult problems confronting negotiators on the standard contract, it was indicated. The New South Wales law now prescribes a 25 per cent rejection right. Efforts will be made to have this reduced to 12½ per cent and incorporated in the standard contract for all Australian states.

Hunter is visiting John W. Hicks, Paramount vice president and foreign manager, at the home office. He will go to Los Angeles early in June to attend the company's national sales convention and will sail June 21 for Australia from there.

## Ad-Press Policies At Texas Meeting

Galveston, May 10.—Advertising and public relations topics consumed most of the session today of the Interstate and Texas Consolidated Theatres' managers.

Bill O'Donnell, city manager of San Antonio, discussed inconsistent policies of censorship. Frank Starz, circuit publicity chief, spoke on "Special Efforts" month. Austin Keough, legal head of Paramount, lauded delegates' interest in subjects outside of their own business.

Barney Balaban, president of Paramount, flew in from Hollywood today to be present at tomorrow's closing sessions.

# Warners Decide 'Juarez' Release Nationally June 10

Release of Warners' "Juarez" nationally on June 10 was announced yesterday by Gradwell L. Sears, general sales manager.

Sears explained that Warners has abandoned its original intention to keep "Juarez" on a road show basis. He said that the decision to release the film nationally at an early date was inspired by the company's conviction that exhibitors will need big pictures to bolster summer boxoffices. Meanwhile the Broadway roadshow run at the Hollywood will continue, Sears added.

Releases scheduled for the summer will include:

"Each Dawn I Die," James Cagney and George Raft; "A Family Affair," same cast as "Four Daughters"; "Naughty, But Nice," Ann Sheridan, Dick Powell and Gale Page; "The Kid From Kokomo," Pat O'Brien, Wayne Morris and Joan Blondell; "Devil on Wheels," Pat O'Brien, John Payne and Ann Sheridan; "Hell's Kitchen," Dead End Kids.

Warners has increased its advertising and exploitation budgets for the summer by 25 per cent.

### Notables at "Juarez"

Washington, May 10.—"Juarez" was screened last night for Secretary of Agriculture Wallace, Lawrence Duggens, chief director of the American Republic Union; Lowell Mullett, executive director of the National Emergency Committee, and others.

## *Luce Rites Today*

Scranton, May 10.—Funeral of Arthur E. Luce, for a score of years a theatre manager for the Comerford Amusement Co., will be held here tomorrow. He died Sunday. Luce was manager of the West Side Theatre.

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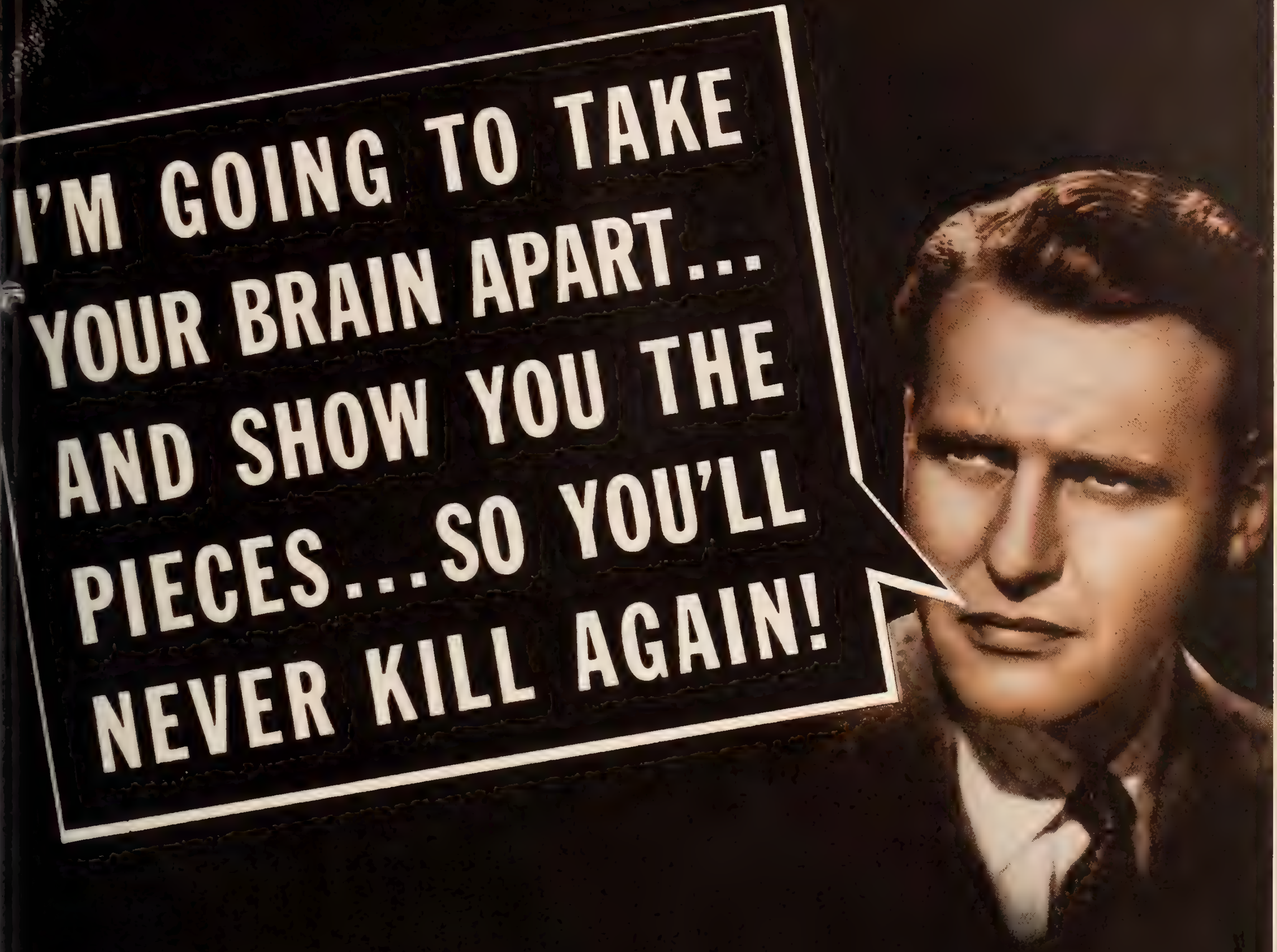
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# MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change.* ***This Chart Is Revised Weekly.*** ***Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action***]

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| April 7 | **The Lady and the Mob (G) (C)**<br>*Fay Bainter*<br>*Ida Lupino* | **Broadway Serenade (G) (M)**<br>*MacDonald*<br>*Ayres*<br>*Ian Hunter* | **Undercover Agent**<br>*Russell Gleason*<br>*Shirley Deane* | **I'm From Missouri (G) (C)**<br>*Bob Burns*<br>3830 | | **Love Affair (G) (D)**<br>*Boyer*<br>*Irene Dunne*<br>**Flying Irishman (G) (D)** | **Mr. Moto in Danger Island (G) (D)**<br>*Lorre*<br>*Hersholt* | | **East Side of Heaven (G) (C)**<br>*Bing Crosby*<br>*Joan Blondell* | **Dodge City (G) (D)**<br>*Flynn*<br>*de Havilland*<br>*Ann Sheridan* |
| April 14 | **First Offenders**<br>*Walter Abel*<br>*Beverly Roberts* | **The Kid from Texas (G) (C)**<br>*Denis O'Keefe*<br>*Rice* | **Streets of New York (G) (D)**<br>*Jackie Cooper* | **Bulldog Drummond's Secret Police**<br>**Never Say Die** | **The Night Riders (O)**<br>*John Wayne* | **They Made Her a Spy (G) (D)**<br>*Sally Eilers*<br>*Allan Lane* | **Story of Alexander Graham Bell (G) (D)**<br>*Ameche*<br>*Loretta Young* | **Wuthering Heights (A) (D)**<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | **Code of the Streets (G) (D)**<br>*Harry Carey*<br>*Frankie Thomas* | **Women in the Wind (G) (D)**<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | **The Law Comes to Texas**<br>*Bill Elliott* | **The Hardys Ride High (G) (C)**<br>*Rooney* | **Wanted by Scotland Yard**<br>*Stevenson*<br>**Man from Texas** | **Back Door to Heaven (G) (D)**<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | **Frontier Pony Express (G) (O)**<br>*Roy Rogers* | **Fixer Dugan (G) (D)**<br>*Lee Tracy*<br>*Peggy Shannon* | **Winner Take All (G) (D)**<br>*Tony Martin*<br>*Gloria Stuart*<br>**Inspector Hornleigh** | **Zenobia (G) (C)**<br>*Hardy*<br>*Langdon*<br>*Burke* | **Big Town Czar (G) (D)**<br>*MacLane*<br>*Ed Sullivan* | **Dark Victory (G) (D)**<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | **Oklahoma Trail**<br>*Starrett*<br>*Meredith* | **Calling Dr. Kildare (G) (D)**<br>*Lionel Barrymore*<br>*Lew Ayres* | | **The Lady's from Kentucky (G) (D)**<br>*Raft*<br>*Drew* | **Street of Missing Men (G) (D)** | **The Story of Vernon and Irene Castle (G) (D)**<br>*Rogers-Astaire*<br>**The Rookie Cop** | **Return of the Cisco Kid (G) (D)**<br>*Baxter*<br>**Climbing High**<br>*Matthews* | | **For Love or Money (G) (D)**<br>*June Lang*<br>*Robert Kent* | **You Can't Get Away With Murder (G) (D)**<br>*Bogart* |
| May 5 | **Outside These Walls**<br>*Costello*<br>*Whalen* | **Lucky Night (G) (C)**<br>*Robert Taylor*<br>*Myrna Loy* | **Boys' Reformatory**<br>*Frankie Darro* | **Union Pacific (G) (D)**<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | **Blue Montana Skies (G) (O)** | **Sorority House (G) (D)**<br>*Anne Shirley*<br>*James Ellison* | **Chasing Danger (G) (D)**<br>*Foster*<br>*Lynn Bari* | | | **Confessions of a Nazi Spy (G) (D)**<br>*Robinson*<br>*Lederer* |
| May 12 | **Blind Alley (G) (D)**<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | **Tell No Tales**<br>*Melvin Douglas*<br>*Louise Platt* | | **Hotel Imperial**<br>*Isa Miranda*<br>*Ray Milland*<br>*Reginald Owen* | **Man of Conquest (G) (D)**<br>*Richard Dix* | **Panama Lady (G) (D)**<br>*Lucille Ball*<br>*Allan Lane* | **Rose of Washington Square**<br>*Power*<br>*Fay*<br>*Jolson* | | | **Torchy Runs For Mayor (G) (D)**<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | **Only Angels Have Wings**<br>*Jean Arthur*<br>*Cary Grant*<br>*Barthelmess* | **It's a Wonderful World (G) (C)**<br>*Colbert*<br>*Stewart* | **Wolf Call**<br>*Movita*<br>**Down the Wyoming Trail**<br>*Tex Ritter* | **Some Like It Hot (G) (C)**<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | **Three Texas Steers (O)**<br>**Southward Ho**<br>*Roy Rogers* | **Racketeers of the Range (O)**<br>*O'Brien* | **Boy Friend**<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | **They Asked For It**<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | **Sweepstakes Winner**<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | **Missing Daughters**<br>*Arlen*<br>*Marian Marsh* | **Bridal Suite**<br>*Robert Young*<br>*Annabella*<br>*W. Connolly* | | **Unmarried**<br>*Buck Jones*<br>*Donald O'Connor*<br>**Stolen Life**<br>*Bergner* | **The Zero Hour**<br>*Inescourt*<br>*Otto Kruger*<br>*Adrienne Ames* | **The Dove**<br>*Steffi Duna*<br>*Carrillo*<br>*Tim Holt* | **The Gorilla**<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | **Captain Fury**<br>*Aherne*<br>*McLaglen* | **The Sun Never Sets**<br>*Fairbanks, Jr.*<br>*Rathbone*<br>*Virginia Field* | **Code of the Secret Service**<br>*Reagan*<br>*Towne* |
| June 2 | **Trapped in the Sky (G) (D)**<br>*DeMille*<br>*Jack Holt*<br>*Ralph Morgan* | | **Across the Plains**<br>*Jack Randall* | **Gracie Allen Murder Case**<br>*Allen*<br>*Warren William* | | **Five Came Back**<br>*Chester Morris*<br>*Wendy Barrie*<br>*Lucille Ball* | **The Jones Family in Hollywood** | | **Inside Information**<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | **The Man Who Dared**<br>*Grapewin*<br>*Jane Bryan* |
| June 9 | **Arizona Cowboy (O)**<br>*Starrett* | **6000 Enemies**<br>*Walter Pidgeon*<br>*Rita Johnson* | **Girl From Nowhere**<br>*Anne Nagel*<br>*Warren Hull* | **Undercover Doctor**<br>*Lloyd Nolan*<br>*J. Carroll Naish* | **Tidal Wave**<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | | **Young Mr. Lincoln**<br>*Fonda*<br>*Alice Brady* | | | **Juarez**<br>*Bette Davis*<br>*Paul Muni* |

# Columbia Sets Reserve Fund of $2,000,000

*(Continued from page 1)*

company goodwill into new cus- er fields.

Reporting on Columbia's foreign ac- ivities, Joseph A. McConville, foreign manager, said that new offices have een opened in Paris, Marseilles and Brussels and plans are being made to pen offices in Bordeaux, Algiers and Lille in the near future.

Worldwide distribution of French ictures will be handled by Columbia n conjunction with Paul Graetz's Transcontinental Films, McConville said. In England, Columbia will produce four features annually at Den- am under the direction of Irving Asher. The first two to be completed, "Q Planes" and "The Spy in Black," will be distributed throughout the world.

### Latin American Market

McConville also reported on the ompany's plans for furnishing greater service to the Latin American market, particularly in the form of exploitation assistance on the company's product playing there. He said that the company was prepared to extend ew forms of cooperation to customers in that market as a result of the recent ppointment of Charles Roberts as ome office supervisor for Latin America. He said he believes in a olicy of collaboration with native roducers in that market for distribution of pictures on a limited scale.

Sam Briskin represented the studio at the meeting. In addressing the men, he said the company's production policy would be based primarily on its ewly acquired directorial strength. He described the assignments being given each director and pointed out the suitability of story material to each director's capabilities and pref- rences. His address was followed y the showing of a three-reel con- ention special featuring Harry Cohn, resident; Frank Capra, Rouben Mamoulian, Frank Lloyd, Wesley Ruggles and Alexander Hall in dis- ussions of pictures on the new sea- on's program, together with shots f "Mr. Smith Goes to Washington," "Only Angels Have Wings" and other important pictures.

### Chicago Meeting Monday

Individual meetings for the various ranches will occupy tomorrow, the nal day of the convention here. The ext regional meeting will open in Chicago on Monday for three days and will be followed by a final meeting in San Francisco.

Among the home office executives eparting for New York today were ack Cohn, A. Schneider, Nate Spin- old, Sam Briskin, Leo Jaffe, Maurice Bergman, Frank McGrann, Harry Ta- iff and Al Sherman. Scheduled to epart tonight are McConville, Roberts, Arnold Picker, Ernesto P. Smith, Cecil F. Mason and F. Knocke.

## *Long's Mother Dies*

WASHINGTON, May 10.—Mother of Harry E. Long, Loew Theatres Cleve- and area division manager, died here uddenly. She was 74 years old.

# *Allied Proposes Booking Combine of 2,500 Houses*

*(Continued from page 1)*

likelihood of Congressional action on anti-block selling, and that delay in putting the trade practice program into effect appears likely if not inevitable, or that, if it is made effective, it will not contain all that was sought.

Comment on the plan by distribution company executives was restrained, with considerable skepticism in evidence. However, one unidentified "official distributor" spokesman said that "maybe such an arrangement would go a long way toward stabilizing the distributors' contractual relations with independents through a central agency," according to the *Herald*.

### Rodgers Non-Committal

William F. Rodgers, M-G-M general sales manager, declined comment "because it all depends upon the principals." He added that "our pictures are for sale to responsible people."

Maurice Silverstone, United Artists head, said: "In order to make any comment it would be necessary to know the complete setup, the number of houses and their locations before United Artists or any other distributor could enter into negotiations."

S. R. Kent, 20th Century-Fox president, said: "When it becomes an accomplished fact I will state the company's policy."

Neil Agnew, vice-president and distribution head of Paramount, said: "We are definitely and flatly opposed to booking and buying combinations as such, as against the type of stock and/or ownership buying and booking arrangements."

### Blumberg Doubts Plan

Nate Blumberg, Universal president, said he did not believe there will be such a combine. "They have usually been unsuccessful. Anyway, let's cross the bridge when we come to it."

Edward A. Golden, vice-president of Monogram, said: "We would have to meet the situation when it came up. Frankly, Monogram would like very much to sell to 2,500 theatres at one time."

Abe Montague, Columbia general sales manager, said he could make no comment until he learned "what the combination is, who is in it and what its purposes are."

Officials of other companies could not be reached for comment.

## *'Man of Conquest' In Second Week*

SAN FRANCISCO, May 10.—Republic, which closed its fourth and final regional sales meeting here yesterday, announced today that "Man of Conquest," is being held over for the second week at the Paramount here and at the Majestic, Hartford, Conn. The picture opens this weekend in the Paramount and Fenway, Boston; Lafayette, Buffalo; Fox, Brooklyn; Majestic, Bridgeport; Brandeis, Omaha, and 30 other situations.

## *NY Senate Approves Race Track Measure*

ALBANY, May 10.—N. Y. State Senate today passed, 35 to 15, the Dunnigan resolution permitting parimutuel bettings at race tracks in the state. The measure now goes to the Assembly for action. Passage there will assure a vote by the people in referendum form this fall.

### Many Leaders to Attend Minneapolis Convention

MINNEAPOLIS, May 10.—Many industry leaders have signified their intention of attending the national Allied convention here June 13 to 15. Invitations were sent out by W. A. Steffes, convention chairman. Major company executives are scheduled to discuss the trade practice code.

Among those from whom acceptances have been received are Neil F. Agnew, Joseph I. Breen, Harry H. Buxbaum, Jack Cohn, Thomas J. Connors, George Dembow, Ned E. Depinet, Edward A. Golden, E. T. Gomersall, James R. Grainger, W. Ray Johnston, Ed Kuykendall, William F. Rodgers, Harry Brandt and a New York I.T.O.A. committee; Jules Levy, Abe Montague, David Palfreyman, C. C. Pettijohn, H. M. Richey, Max Roth, E. M. Saunders, L. J. Schlaifer, William A. Scully, Gradwell L. Sears, Harry Sherman, Mort Singer, Spyros Skouras, P. S. Harrison.

# Small Gains Made In Takes On Broadway

Business along Broadway picked up in the past two days but it is still far from satisfactory. "Union Pacific" opened strong at the Paramount with an estimated $7,000 for the day. "Lucky Night" grossed an estimated $19,000 at the Capitol. "Calling Dr. Kildare" goes in today.

"Only Angels Have Wings" will start at the Music Hall today. "East Side of Heaven" drew an estimated $60,000 there. "Juarez" grossed an estimated $20,000 at the Hollywood and seats are selling eight weeks in advance. Second week of "The Lady's from Kentucky" attracted an estimated $25,000 at the Paramount.

"Confessions of a Nazi Spy" and "Rose of Washington Square" will be held over for second weeks at the Strand and Roxy. "Three Waltzes" is held for a third week at the Filmarte. "Zenobia" is set for the Globe Saturday.

## *Delay Lottery Trial*

Trial of Christos Carnavos, manager and part owner of the Momart, Brooklyn, on charges of operating a lottery, was adjourned to June 7 in Special Sessions Court yesterday. Motion for transfer of the case to Kings County Court and for a jury trial will be argued tomorrow.

AMPA

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says
DR. J. S. LIST
Prominent psychologist and motion picture research expert.

"NO"
says
HARRY GOLDBERG
Director of Advertising and Publicity, Warner Bros. Theatres.

*Don't miss the fireworks!*

AMPA

Hotel Astor
12:45 p.m. Today

# Service Charge Cut For Canada Houses By Dominion Sound

TORONTO, May 10.—The service charge for maintenance of sound installations has been reduced and reclassified in a revised schedule for theatres in Canada by the Dominion Sound Equipments, Ltd., according to F. E. Peters, general manager of the company which represents both Western Electric and RCA.

The new charge for a regular checkup once each four weeks and emergency calls at any time for "A" theatres in Toronto, Hamilton, Montreal, Ottawa, London and other large cities is $8.75 a week. For "B" theatres, the fee is $7.75 a week for a regular checkup once in six weeks and emergency service, while for smaller houses the rate is $6 per week with one scheduled call every eight weeks.

## *20th-Fox's British Meet Opens Today*

LONDON, May 10.—British sales convention of 20th Century-Fox will open here tomorrow for three days. Among those attending will be Walter J. Hutchinson, foreign distribution head; Herman Wobber, general sales manager, and Truman H. Talley, Movietone producer. Earlier they attended the Paris meeting.

Francis L. Harley, British managing director, will conduct the British meeting with R. Sutton Dawes, sales director. Hutchinson will present a message from S. R. Kent, president.

## *Argentine Official To Inspect Studios*

Alfredo P. Murua is here en route to Hollywood to inspect technical facilities of major studios in connection with plans to enlarge the Side studios in Buenos Aires, which he heads.

Murua said business in Argentina is good. Argentinian pictures, he added, are becoming more popular, ranking second to Hollywood films. French pictures are third in playing time.

## *Expect 200 at RKO Westchester Meet*

About 200 representatives of RKO's domestic and foreign sales forces will attend the company's national sales meeting to be held June 19-22 at the Westchester County Club, Rye, Jules Levy, general sales manager, said yesterday. Meeting will provide an opportunity for a number of the sales representatives to meet George J. Schaefer, RKO president, for the first time.

## *Ontario ITA Seeks End of Protection*

TORONTO, May 10.—Declaring that "protection must be eliminated for the good of this industry," N. A. Taylor of Toronto, vice-president of the Independent Theatres Association of Ontario, has announced formation of a committee on trade practice reforms to seek reduction in present clearance schedules.

## *Won't Do It Again*

***Journal-American* radio columnist Dinty Doyle ran an item in his column inviting all married couples named Eddie and Ida to write him for tickets to the 25th wedding anniversary broadcast which Eddie Cantor will present June 5. To date Dinty has received more than 600 replies from Eddies and Idas.**

# F.C.C. to Resume Radio Monopoly Quiz on May 17

WASHINGTON, May 10.—Federal Communications Commission announced today the investigation of chain broadcasting and monopoly will be resumed on May 17, when David Sarnoff, president of RCA, and Marks Levine, manager of the concert division of NBC, will be called upon to testify.

Levine will substitute for George Engels, vice-president and managing director of the Artists Service Department of NBC, who was taken ill during his testimony last fall and was excused, subject to recall. Engels is still unable to appear.

Sarnoff will be cross-examined on testimony which he gave Nov. 14. These are the only two witnesses scheduled to appear.

## *Diplomats Will Air 'Juarez' Comments*

Five Latin American diplomats in Washington will address their countrymen in praise of Warners' "Juarez" tomorrow at 2:30 P. M. over the CBS short-wave station, W2XAU. The envoys will extol the film for its adherence to the good neighbor policy laid down by President Roosevelt.

Participating will be Louis Quintanilla, resident Minister of Mexico; Dr. Pedro de Alba, Charge d'Affaires of Chile; Ricardo Castro Beeche, Minister of Costa Rica, and the first secretary of the Brazilian Embassy, A. B. Frigoso.

## *Mrs. Roosevelt to Introduce Program*

Mrs. Franklin D. Roosevelt will introduce the forthcoming dramatic series, "Women in the Making of America," which starts over the NBC-Blue May 19 at 2 P. M. Mrs. Roosevelt will speak from the White House. The series is under production of the Federal Theatre radio division of the Works Progress Administration.

## *To Salute Jap Station*

CBS will broadcast a special salute program to JOAK, Broadcasting Corp. of Japan, Saturday, on the occasion of its removal to new broadcasting studios and offices. KNX will originate the show.

## *Mennen Renews Hawley*

Mennen Co., through the M. Kiesewetter agency, has signed a renewal of Mark Hawley's Transradio Press news readings over WOR, effective May 17.

# *Radio Personals*

DON ABERT, manager of WJTM, is in New York until the close of the week. . . . Hal Kemp opens at the Starlight Roof of the Waldorf tonight. . . . Jean Grombach, the radio producer, again will present Lisa Maranz in a concert over WQXR on Monday.

Lee Reiser celebrates a birthday today. . . . Louis Hayward will be Bing Crosby's guest star tonight. . . . Alton Cook of the *World-Telegram* is recovering nicely at the Lenox Hill hospital. . . . Vincent Price will do a scene from "Goodbye Mr. Chips" on WHN's "Gotham Nights" program tomorrow night and will leave immediately after the broadcast for Hollywood.

## *NAB Files Appeal of Jolson NBC Verdict*

PHILADELPHIA, May 10.—National Association of Broadcasters has entered an appeal in the Supreme Court of Pennsylvania to reverse a damage verdict of $15,000 awarded a hotel against NBC last fall. It was based on remarks by Al Jolson about a hotel during a radio broadcast.

William A. Schnader, N.A.B. counsel, told the Supreme Court that Jolson's remarks were ad libbed, that the broadcasting company had no warning and that the remark obviously was intended to be humorous and not damaging. He said that broadcasting stations merely rent facilities to others.

## *12 Stations Renew NBC Disc Service*

A dozen stations have renewed their subscriptions to the NBC Thesaurus service, in addition to three new subscribers who have just signed for the recordings. Stations which have renewed are WOMI, Owensboro, Ky.; WFLA, Clearwater; WHO, Des Moines; WCSH, Portland, Me.; WAAT, Jersey City; WFBC, Greenville, S. C.; WPAY, Portsmouth, O.; KQW, San Jose; WOW, Omaha; WAIR, Winston Salem; CKPR, Fort William, Ontario, and HP5K-HP5O, Colon, Panama. New subscribers are WTMC, Oscala, Fla.; KMED, Medford, Ore.; and WRAW, Reading, Pa.

## *Plans Resort Program*

CINCINNATI, May 10.—WKRC has just completed arrangements for exclusive broadcasting of special events from Coney Island, Cincinnati's popular amusement resort. A daily interview program will be presented and WKRC will have exclusive rights of all special occasions, stunts and events from the park.

## *Sarnoff, Hoover on Air*

David Sarnoff and ex-president Hoover will be the principal speakers at the banquet concluding the 33rd annual convention of the Boys' Clubs of America, to be broadcast over the Blue network May 18 at 10 P. M. Father E. J. Flanagan, founder of "Boys Town," also will speak.

# *F C C Calendar*

WASHINGTON, May 10.—Plans
KMPC, Beverly Hills, Cal., for
pansion of service were disclosed
an application filed with the Fed
Communications Commission for
thority to move the station transmi
from Beverly Hills to a site
Culver City, extend time from li
to unlimited and increase power
500 watts to 1,000 watts night,
watts day.

Applications also were filed by
Willard Carver, Thomas B. Willi
and Byrne Ross, Lawton, Okla.,
a new 1,420-kilocycle, 100-watt
tion; Cordele Dispatch Publish
Co., Inc., Cordele, Ga., for a 1,
kilocycle station with 100 watts ni
250 watts day, and WKAQ, San J
P. R., for change of frequency f
1,240 to 620 kilocycles and increas
power from 1,000 to 5,000 watts.

The commission has arranged
tatively for hearings May 23 on
application of WREN, Lawre
Kan., to move its studio to Ka
City, Mo., and its transmitter
Kansas City, Kan.; June 7 on
application of WICA, Ashtabula,
for increase of power from 250
1,000 watts, and June 23 on the
plication of WSUI, Iowa City,
for increase of power from 500 w
night, 1,000 watts day, to 1,000 w
night, 5,000 watts day.

### Seek Building Permits

Construction permits for two
broadcasting stations has been as
of the commission.

Applications for the new stati
were filed by the Hot Springs Br
casting Co., Hot Springs, Ark., f
1,310-kilocycle transmitter, and by
Las Vegas Broadcasting Co., Inc.,
Vegas, Nev., for a 1,420-kiloc
transmitter, both to have 100 w
power night, 250 watts day.

Applications also have been recei
by the commission from WP
Ponce, P. R., for a change of
quency from 1,420 to 1,480 kilocy
extension of time from specified h
to unlimited, and increase of po
from 100 watts night, 250 watts
to 5,000 watts, and KSD, St. L
for change of frequency from 55
630 kilocycles and extension of
from sharing to unlimited.

## *Lewis Will Launch 'Congress Revie*

Fulton Lewis, Mutual's Washi
ton commentator, will start a
series, "Congressional Review of
Week," on the Mutual network
day and thereafter on Fridays f
10:30 to 10:45 P. M. New prog
will be in addition to Lewis' nig
news commentaries.

## *Extends WMCA Tim*

Emerson Radio has extended
current WMCA schedule from t
news broadcasts a week to five,
three programs a week over W
New contract was placed thro
Lightfoot Associates. Other new b
ness by WMCA includes sponsor
of "Five Star Final" daily by
Lax Corp., a year's announcen
schedule for Fruit Wines Corp.,
extension of Policy Holders Advis
Council program from one broad
a week to a 15-minute script s
five times weekly over the Inter-
network.

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## rive Against Bootleg Films Yields Results

### overnment Helps Smash Large Illegal Ring

llegal traffic in pictures is being lt a smashing blow by the Copy- ht Protection Bureau.

ack H. Levin, director of the bu- u here, yesterday disclosed complet- of a special investigation into tlegging of films by itinerant ex- itors. More than 100 illegitimate nts already have been seized by leral officials.

E. Gregg, who operates the Pan- erican Laboratory in Chicago, es one-year imprisonment or a 000 fine or both following his plea guilty to a charge of distributing uthorized duped copies of films.

uped or stolen 35 and 16 mm. nts were traced through New York, io, Michigan, Illinois, Wisconsin, ginia, Iowa, New Mexico, West ginia and Indiana.

tate and local police cooperated in investigation, and later the evi- ce was turned over to J. Edgar over, head of the Federal Bureau Investigation, who pressed the be.

gents of the bureau conducted a r's investigation before they dis- ered the source of the prints, which e distributed through illegal chan- to exhibitors throughout the ntry.

## ll Film Branches Unite in Tax Fight

ONDON, May 11.—All branches of trade were represented at a joint ting today and agreed on immedi- action to bring about complete lition of the newly increased im- t and excise duties on films.

committee will meet tomorrow to w up a united appeal to the Chan- or of the Exchequer. Further ac- may include the formation of a licity committee, with possible use the press, Parliamentary and pub- channels. The plan for a concerted e against the taxes was carried hout a dissenting vote. D. E. ffiths, president of the K. R. S., sided, with Sam Eckman, M-G-M tish head, playing a leading part. epresented at the meeting were the R. S., C. E. A., Film Group of the leration of British Industries, labor, sreels, news theatres, advertisers, orters, short subject and sub- ndard interests.

### *Max Cohen Cold To Allied Combine*

**Max A. Cohen, president of New York Allied, is opposed to the plan of some of the national Allied leaders for a huge buying and booking combine of independent exhibitors.**

**"In my opinion, the Government would frown on it," said Cohen yesterday. "It appears to me it would clearly be a monopoly in restraint of trade."**

## Para's Finances Are Excellent—Balaban

GALVESTON, May 11.—Paramount's financial condition is excellent, Barney Balaban, president, told the final session of the Interstate and Texas Consolidated convention here today.

He said Paramount has substantially completed its debt retirement program, and praised Y. Frank Freeman's management of the studio.

Balaban declared that all pictures sold for 1938-'39 will be delivered, and that at Paramount's first big convention in four years in Hollywood next month the sales forces will see some of next year's product.

Representatives of all major companies spoke on their next year's product. Karl Hoblitzelle saluted R. J. O'Donnell and his employees.

## SAG Gives Extras Chance to Drop Out, Organize Own Unit

HOLLYWOOD, May 11.—Extras today were given an opportunity of deciding whether they wish to remain with the Screen Actors Guild or to organize a separate unit and do their own collective bargaining.

The SAG board, irritated by anonymous attacks from extras, will send to every extra member ballots which, while carrying names of Class B council members in re-election, will include the question: "Do extras wish to remain with the Guild?"

A letter accompanying the ballot says in part:

"From time to time self-appointed saviors of extra players proclaim . . . how badly Guild treats extras and how much better they would treat extras if given a chance. They further make blanket charge that extras are coerced into staying in Guild and would get out if they could.

"The Guild wants the extra only if the extra wants the Guild. If the majority vote 'no' we pledge ourselves to take steps to waive conditions of our contract with producers applying to extras, including waiver of Guild shop for extras, reserving only our jurisdiction over any player who speaks a line, plays a part or does a stunt in motion pictures. . . ."

## *Watterson Rothacker Joins Quigley Publishing Company*

Watterson R. Rothacker has been appointed vice-president of the Quigley Publishing Company, publishers of *Motion Picture Herald*, MOTION PICTURE DAILY, *Better Theatres*, the *International Motion Picture Almanac*, *Fame* and *Teatro Al Dia*. His headquarters will be in Hollywood.

Mr. Rothacker has conducted an exhaustive survey of foreign market conditions throughout the world. He recently returned from a visit to the principal markets of Latin America. He has had an extensive experience in motion picture affairs. Initially his contact with the motion picture was in journalism. He was variously connected with general amusement and musical publications and was United States representative of London publishing interests. He contributed articles to various advertising and selling publications.

In 1910 he established his own company, being the first to specialize in motion pictures for general advertising and educational purposes. In that year he was the author of the first book devoted to those uses of the motion picture medium. The Rothacker company was founded in association with Carl Laemmle and R. H. Cochrane. Mr. Rothacker subsequently acquired complete ownership of the company.

**W. R. Rothacker**

In 1915 he made several war pictures, including the evacuation of Antwerp and action on the Rus-

(*Continued on page 4*)

## RKO Quarter Net Estimated At $388,822

### *Compares With $53,205 Loss in '38 Period*

RKO's estimated net profit for the quarter ended April 1 was $388,822, according to the eighth report of Irving Trust Co. as trustee of RKO, which was submitted to the Federal court yesterday by Andrew Christensen, trustee's representative.

Figure is after all charges including interest of $191,027 on outstanding debentures and gold notes but before providing for dividends on the Keith-Albee-Orpheum preferred stock. Result for the quarter compares with a net loss of $53,205 for the corresponding period last year, or an improvement of about $442,000, as indicated by MOTION PICTURE DAILY on April 27.

#### Earnings Show Big Gains

Earnings of both the picture and theatre companies showed marked improvement over the first 1938 quarter. April earnings continued the improvement with a succession of good releases and no heavy writeoffs of high cost productions. Company's cash position remained about the same as a year ago with $7,652,741.

Commenting on the consolidated earnings for 1938, which amounted to $18,604, as reported earlier, the trustee said that theatre subsidiaries showed net profit of $896,774 for the year, compared with $1,483,281 for 1937. Operations of RKO Radio Pictures resulted in a net loss for 1938 of $1,247,553, after interest of $1,058,079 on indebtedness to RKO, compared with net loss in 1937 of $236,909, after interest of $1,024,647 on

(*Continued on page 4*)

## *Ticket Tax Called Certainty in N. Y.*

ALBANY, May 11.—A one-cent tax on theatre tickets up to 50 cents and on a graduated scale above is considered certain of adoption by the legislature before adjournment next week. This is provided in the housing law amendments as revenue for the purpose.

ALBANY, May 11.—Gov. Herbert H. Lehman has signed the measure sponsored by Assemblyman James E. Owens which permits 20 per cent of the qualified voters in certain villages to petition for a referendum on subject of Sunday shows.

# 16 mm. De Vry Projector Set For Theatres

A 16mm. sound projector designed for heavy-duty theatre use was demonstrated to metropolitan circuit heads and newsreel house operators by the DeVry Corp. at the Hotel Astor yesterday.

The projector has high intensity carbon arc lighting and a magazine which holds 4,000 feet, the equivalent of 10,000 feet in 35mm.

### For 16 mm. Newsreels

The machine has been designed by DeVry especially for 16mm. local newsreels. Plan is to have a local newspaper shoot the reel and have it shown as part of a regular show at the theatre. The newspaper would bear the cost of production in return for the sponsorship.

One such deal is reported to have been closed in Elizabeth, N. J., but the name of the house and the paper were not disclosed. Showings will start there in several weeks. A number of similar deals are pending, it was said.

### Built For Heavy Duty

Principal feature of the machine is that it is built for heavy duty with built-in arc projection. A separate ventilation system and insulated copper disks between the carbon and aperture eliminates a heat resistance glass and makes better lighting possible.

Hugh Elsasser has been named N. Y. newsreel director for DeVry.

Talk of a chain of five and 10-cent 16mm. newsreel houses has dwindled and the effort will now be to place the reel into regular houses as a special attraction.

H. A. DeVry, president, William C. DeVry, his son, of Chicago, H. M. Fisher, manager of N. Y. office, and Elsasser supervised the demonstration.

## *'Rose' Hits $49,000 In First Roxy Week*

"Rose of Washington Square" grossed an estimated $49,000 in its first week at the Roxy and may run three weeks there. Second week of "Confessions of a Nazi Spy" drew an estimated $30,000 at the Strand and remains for a third. "Wuthering Heights" is holding up well at the Rivoli, with an estimated $17,000 for its fourth week, and it continues there.

"Pygmalion," nearing the end of its run at the Astor, grossed an estimated $5,600 in its 22nd week. The film's attendance figure went over the 700,000 mark yesterday. "Crime on the Maginot Line" will start a second week at the 55th St. Playhouse.

## *Seek Examination Order*

Skouras Theatres Corp., Fox Metropolitan Playhouses, Inc., and Fox Theatres Corp today will apply to the N. Y. Supreme Court for an order directing David Laza, as president of Lazfox, Inc., to appear for examination before trial. Lazfox is suing for $100,000, charging breach of a contract of Feb. 21, 1931 for the candy concession in 75 theatres.

# ◀ *Purely Personal* ▶

HARRY GOETZ, MAX GORDON, JACK COHN, SAM BRISKIN, MARTIN QUIGLEY, AL ADAMS, LOU RYDELL, MONROE GREENTHAL lunching in BOB GOLDSTEIN'S Tavern yesterday.

•

MR. and MRS. SPENCER TRACY return from a brief vacation in Europe today on the *Washington.* GILBERT FRANKAU, British novelist, and MRS. FRANKAU also are on board.

•

MRS. HAL ROACH, wife of the U. A. producer, arrives from the coast today to join her daughter, MARGARET. MRS. C. H. ROACH, mother of the producer, is expected soon.

•

JOHN LITEL gets featured role in Warners' "Dust Be My Destiny," starring JOHN GARFIELD. Film goes into production in a few days.

•

HIBBARD A. HENDERSON, former publicity man at the Beacon, Boston, is now working under JACK SAEF at the Paramount there.

•

A. J. HERMAN, eastern district manager for Universal, has been in Boston for several days, and is expected back tomorrow.

•

DON MARTIN has been appointed manager of the Beacon, Boston.

•

ARTHUR ROBIE is the new manager of Boston's Bowdoin.

NANCY CARROLL and HERBERT RAWLINSON were photographed yesterday at RKO's World Fair headquarters. Another visitor was SANTIAGO CASTILLO of British Honduras. He is co-owner of the Palace, only theatre in Belize.

•

JUAN SUAREZ and ERNESTO CAPARROS of Producciones C.H.I.C.H., Havana, are in town with the negative of their first feature, "Ahora Seremos Felices."

•

HENRY DANZIGER, of the N. Y. Film Board of Trade, will enter the Jewish Hospital of Brooklyn Monday for an operation.

•

MISCHA VIOLIN, associate conductor of the Music Hall symphony orchestra, leaves today for Curacao on the *Santa Paula.*

•

SHIRLEY CARTER BURDEN, president of Tradefilms, Inc., arrived from Hollywood yesterday for a month's stay here.

•

ERNEST W. WHITFORD, from the Court Square, Springfield, Mass., is the new manager of the Gaiety in Boston.

•

ROBERT FLOREY, Paramount director, returned from abroad, and left yesterday for Hollywood.

•

PAUL ROBESON will arrive from Europe Monday on the *Normandie.*

## *Schlaifer, Smith to Appear in U. S. Suit*

L. J. Schlaifer, vice-president, and Andrew W. Smith, general sales manager of United Artists Corp., yesterday were requested by the Government to appear on May 22 at 10:30 A. M. for questioning in the anti-trust suit against the majors.

Special assistant attorney general Seymour Krieger will conduct the hearing, a part of the continued examination before trial of United Artists.

## *Ross Transfers Unks*

Ralph R. Unks has been appointed Albany branch manager for Ross Federal, succeeding K. A. Davis, who has returned to the coast. Harvey J. Hanreddy has been transferred from Los Angeles to Indianapolis as branch head.

## *Paramount Installs Television Receiver*

**The Paramount Theater on Broadway has installed a DuMont television receiver in its Elizabethan Room, with large lobby and street signs inviting patrons to witness television programs. This is the second theater installation hereabouts, the first having been at the Little Carnegie Playhouse.**

## *Loew's Books 'Warning'*

"The Warning," English film showing England's preparedness for war, has been booked by the Loew circuit, according to Budd Rogers, vice-president and general manager of Alliance Films.

# *The Newsreel Parade*

*The coal strike situation features the new issues. Reels and their contents follow:*

NEWS OF THE DAY, No. 268—Salute Britain's king and queen. Start mail exhibit trip. Navy Day at West Point. Coal crisis conference. Pershing in Washington. Army show in Poland. Polo team makes debut. Ladies day at softball game.

MOVIETONE NEWS, No. 70—Visit California mission. Reconstruct bridge. Chorus girls entertain gobs. Modern Art exhibit. Aviators fly over Alps. Lew Lehr. Softball game. Wrestling. Sail boat display.

PARAMOUNT NEWS, No. 81—Sailors visit cadets. Pershing arrives at White House. Stamp collection on tour. Art museum dedicated. Coal strike situation. Test army bombers. Celebrities attend ball game.

RKO PATHE NEWS, No. 85—Conflict in Poland. Roosevelt launches stamp truck tour. Hot lightning produced. Softball game. Catwalk under Niagara. Museum of art opens. Cup tryouts. Girls wrestling.

UNIVERSAL NEWSREEL, No. 770—Sailors visit West Point. Coal strike. Pershing visits capitol. Liquor confiscated. Rebuild bridge. Haul salmon over dam. Lightning manufactured. Fashions. Softball game. - Wrestling. Horse riding.

# Fair Reviews Amusement On Saturda

Amusement sector of the Wor Fair, long denied an official openi will be dedicated with lots of h tomorrow at 9 P.M. But it can called an opening if friendly relati with the Fair's publicity departm are to be maintained—so it's a "Gr Review" of the Amusement Sectio

Grover Whalen and Mayor Fiorı H. LaGuardia, dressed in 10 gal hats and mounted on spirited hor will do the honors, lead a parade 500 performers, and make speeches 10:30 P.M. An electric eel wh gives off 400 volts will furnish power to start the ceremonies. N. Y. Zoological Society will furn the eel.

After the parade, which will sto each concession, and the speeches come a fireworks display. A "Fli for Life," with Ginger Vess, 18-ye old aerialist, doing a 1400 foot sli will end the free festivities. Then concessionaires will go to work.

## *Doyle, Australian RKO Manager, D*

Ralph Doyle, RKO manager Australia, is en route here for company's annual sales convent June 19-22, and will arrive in Angeles on the *Monterey* Mond His home office visit is in line w those of the Australian managers the other large distributing compan six of whom have been here within past few months.

On the same boat are Dan Carr head of the Birch, Carroll, Coyle cuit in Australia, and Charles Mun head of Hoyt's circuit, who are me bers of the industry governing co mittee of four recently designated New South Wales.

## *Columbia Outing June*

Columbian Club members will h their annual outing June 10 at Pinebrook Country Club, near Brid port, Conn.

MOTION PICTURE DAILY
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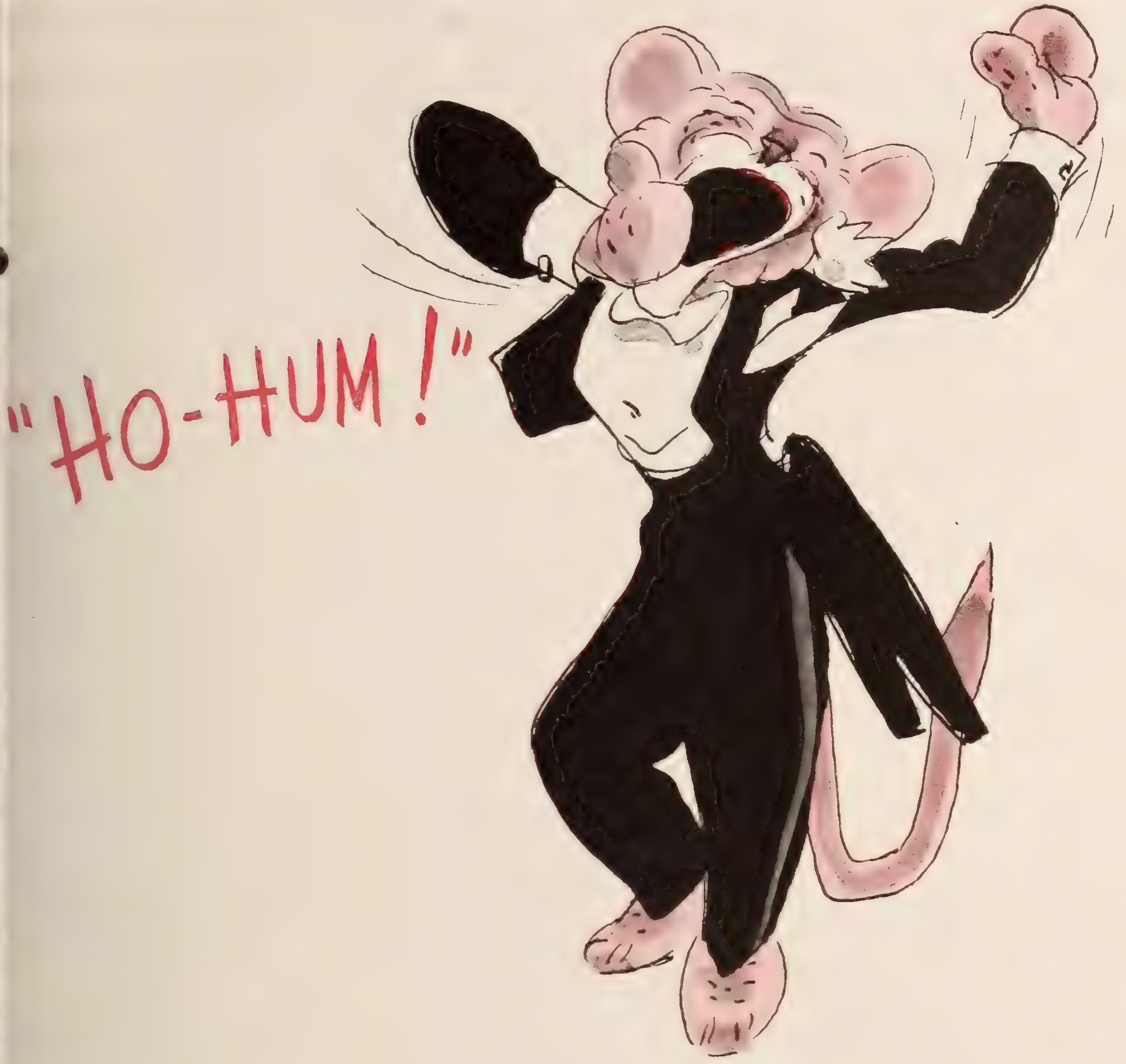

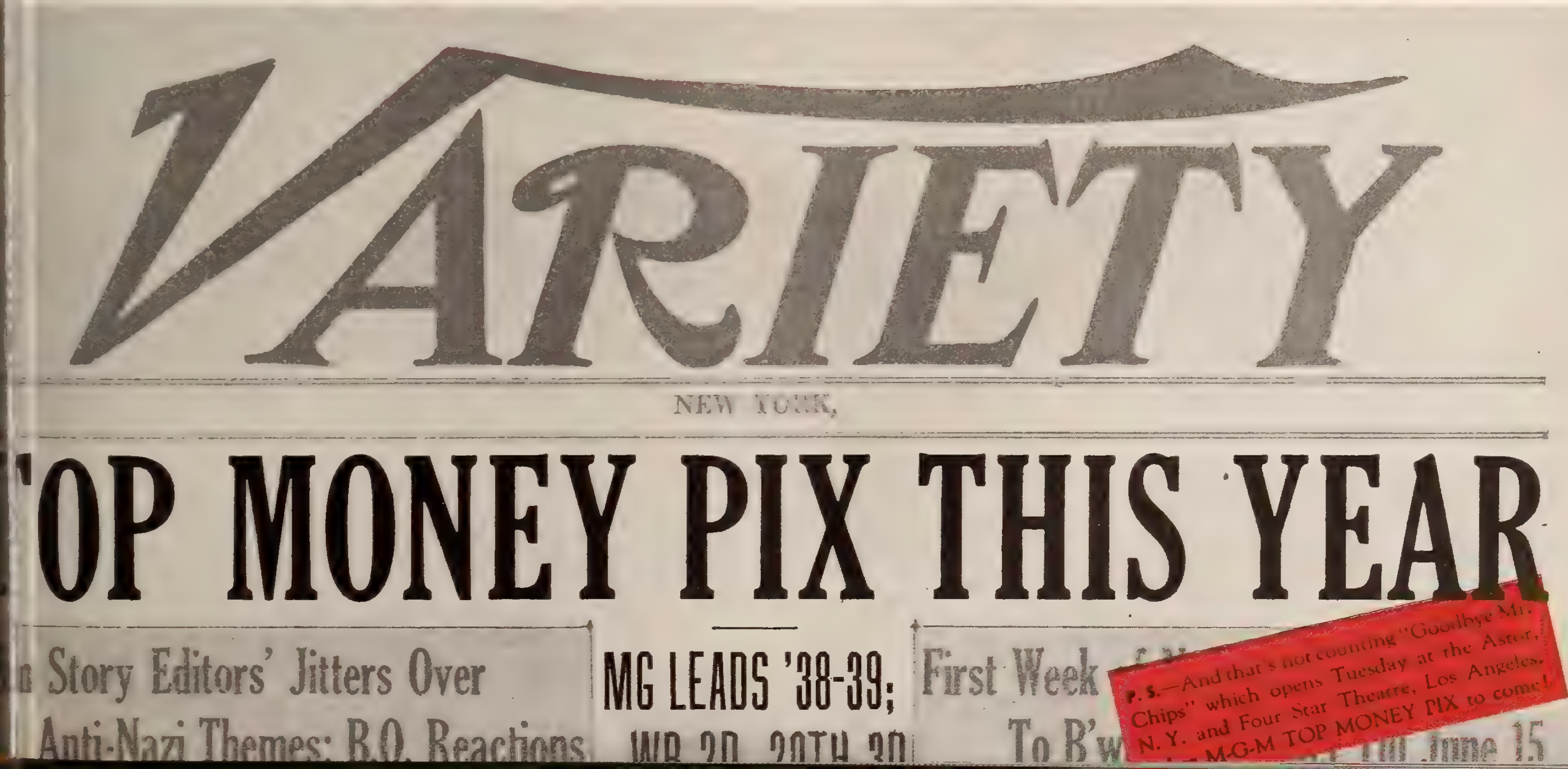

VARIETY

NEW YORK,

OP MONEY PIX THIS YEAR

n Story Editors' Jitters Over Anti-Nazi Themes; B.O. Reactions

MG LEADS '38-39; WB 2D, 20TH 3D

First Week To B'w June 15

P. S.—And that's not counting "Goodbye Mr. Chips" which opens Tuesday at the Astor, N. Y. and Four Star Theatre, Los Angeles. M-G-M TOP MONEY PIX to come!

# RKO Quarter Net Estimated At $388,822

(Continued from page 1)

indebtedness to the parent company. Pathe News showed a net profit of $97,199 for 1938, compared with net profit of $63,011 for 1937.

### Seek Note Extension

The report disclosed that the remaining $50,000 of RKO secured gold notes outstanding, which are secured by practically all of the going assets of the company, have been extended to June 30 and that a further extension will be asked by the trustee later. Retirement of the notes prior to consummation of the company's reorganization could complicate the procedure by opening up the question of whether or not the company's debentures would then enjoy a first lien on the assets which secure the notes.

Fixed indebtedness of RKO was further reduced by $610,776 during the latter half of 1938, making the total reductions since July 1, 1934, $8,026,238. During the same period, cash increased about $2,650,000.

### RKO Confirms Story Patterson Offered Post

Financial interests associated with the reorganization of RKO yesterday confirmed published reports that negotiations had been held with Richard C. Patterson, Jr., Assistant Secretary of Commerce, with a view to his becoming associated with the company in an executive capacity. It was stated that the negotiations had not progressed "very far" but were being continued.

Patterson, who plans to resign from the Government service about midsummer, is also reported to have been offered a high post with a utility company. He was formerly a vice-president and director of NBC. It was said that no specific post in RKO has been offered him but it is believed he would become either a high administrative or financial officer.

## *82% of Brazil Film Trade Is American*

Rio de Janeiro, May 11.—American films were decidedly popular with Brazilians in 1938. Out of 491 films exhibited last year in this country, 402 of them were American products, or 82 per cent of the total.

Two reasons are given for the heavy American business in Brazil: (1) Large American film companies have agencies located in Brazil, (2) Brazilians favor American to European films or pictures in Spanish because Portuguese is spoken universally in Brazil and consequently even Spanish pictures must be translated into Portuguese.

## *Alexander to Be Host*

Adolph Haas and Charles Light of Alexander Film Co. will be hosts at a "housewarming" at the company's new quarters at 630 Ninth Ave. this afternoon.

# *Watterson Rothacker Joins QuigleyPublishingCompany*

(Continued from page 1)

sian and Serbian fronts and behind the lines in Germany. The first important cartoon on film was produced in his studio that year. The subject was Sydney Smith's "Old Doc Yak." In the two succeeding years he produced several pictures at the Chicago studio and made in New York the first motion picture of Mr. and Mrs. Vernon Castle. He produced the first motion pictures photographed from the air, the actual camera work being done by Herman DeVry, now head of the DeVry corporation.

At the Rothacker studios, too, there were early experimentations in sound pictures, recording, incidentally, the voice of the late and famed Frank Bacon, father of Lloyd Bacon, the director.

One of the more pretentious and successful production enterprises of the Rothacker studios was his production of "The Lost World," a fantasy made with stop motion manipulation of models and intricate sets. It was a famous First National release.

In 1926 Mr. Rothacker sold his laboratories and studios to Herbert J. Yates, of Consolidated Film Enterprises. Since then, between sundry and extensive traveling abroad, Mr. Rothacker has been variously vice-president and managing director of First National Productions at Burbank, also vice-president of the Motion Picture Producers' Association in Hollywood, in charge of the reorganization of the General Service Studios for Electrical Research Products, Inc., and vice-president of Paramount Pictures, Inc.

Various persons now prominently associated with the industry were connected with the Rothacker organization. Among these are: E. O. Blackburn and George Gibson, of J. E. Brulatour, Inc.; J. Wesley Smith, of Du-Pont Film Manufacturing Co., and Harry Joe Brown, Twentieth Century-Fox producer. Edgar Bergen, of Charlie McCarthy fame, incidentally, once operated a polishing machine in the Rothacker Chicago studio. Ralph Morgan, now president of the Screen Actors Guild, first faced a motion picture camera at Rothacker's Chicago studio, co-starring with Peggy O'Neil in a feature film entitled "The Penny Philanthropist."

## Awards Winners Arrive on Monday

John Burhorn, manager of the Gayety in Chicago, and George Limerick, city manager of the Griffith theaters, Enid, Okla., will arrive in New York Monday to accept the 1938 Quigley Grand Awards.

A record turnout of industry executives is expected next Tuesday at the Hotel Astor luncheon at which William F. Rodgers, MGM general sales manager, will present the awards to the two winners. Governors and senators of Oklahoma and Illinois have been invited to attend.

Among speakers at the luncheon will be Spyros P. Skouras, president of National Theaters. W. G. Schmus, managing director of Radio City Music Hall, will guide the winners on a backstage tour.

A large program of entertainment has been arranged for Burhorn and Limerick during their week's stay in New York as guests of Martin Quigley.

The winners will be guests at the Ampa meeting next Thursday.

## *Carlisle, Pa., Opens $100,000 Theatre*

Carlisle, Pa., May 11.—The newest theatre in the Comerford Amusement Co. circuit, the $100,000 Comerford, opened here tonight. The chain's Orpheum will be permanently closed, but the Strand will continue. Arthur Glaser will manage the Comerford and Strand. The new house will give daily continuous performances.

## *Defer Sunday Film Vote*

New Bern, N. C., May 11.—Local Board of Aldermen has deferred action on the request for Sunday shows.

## *Jackson Reported With Irving Asher*

**London, May 11.—It is unofficially reported here Jerome Jackson, former head of the Teddington Warner Studios, has joined Irving Asher, who is producing quota features for Columbia release at the Denham studios.**

## *Urge Pa. Child Ban At Sunday Shows*

Harrisburg, Pa., May 11.—First of almost a score of bills relating to the picture industry, introduced at this session of the state legislature, was reported out of committee today.

The bill which reached the senate floor with the committee's approval prohibits attendance of children 15 years old or younger at Sunday theatrical performances.

Measures still in committees include one which would abolish Sunday movies entirely by restoring Sunday blue laws. It is believed the legislature is opposed to elimination of Sunday shows.

Appointment of Mrs. Edna R. Carroll of Philadelphia as chairman of the state censor board was confirmed today.

## *Seattle Races Banned*

Seattle, May 11.—City Council has refused to grant a license to permit midget auto races nightly during the summer months at the Civic Auditorium field. Four individual promoters were attempting to obtain the license, which was fought bitterly by the M.P.T.O. of Washington, under the guidance of Secretary James M. [illegible]one.

# Columbia Set For Chicag Meet Sunda

Chicago, May 11.—The second
Columbia's three regional sales me
ings will open at the Drake S
with more than 70 delegates pr
from nine midwest exchanges, C
adian branches and the home off
The third and final regional meet
will be held in Los Angeles.

The following home office executi
will leave New York Friday for
meeting here: Jack Cohn, vice-pr
dent; Abe Montague, general s
manager; Rube Jackter, Louis As
Louis Weinberg, Max Weisfe
Maurice Bergman, Hank Kaufm
Maurice Grad, George Josephs
Irving Moross.

Present from the various midw
and Canadian offices will be:

Chicago—Midwestern Division Mana
Phil Dunas; Salesmen, C. W. Phillips,
St. Clair, T. Greenwood, F. Flaherty
Joseph, M. Denalo; Des Moines—Bra
Mgr. M. H. Evidon; Salesmen, A.
Leake, M. Goodman, M. L. Godwin,
Miller; Detroit—Central Division Mgr.
H. Shalit; Salesmen, H. R. Schilds, R.
Cloud, G. L. McCoy, C. H. Townsend
Baker; Indianapolis—Branch Mgr. W.
Craig; Salesmen, H. Kaufman, C. Bu
A. J. Gelman, L. Shubnell; Kansas Ci
Branch Mgr. B. C. Marcus; Salesmen,
Baldwin, W. Bradfield, C. E. Reynolds,
S. Stulz, Z. Beiser.

Also Milwaukee—Branch Mgr. O.
Ruby; Salesmen, T. J. MacEvoy, S.
Chapman, D. Chapman; Minneapo
Branch Mgr. H. J. Chapman; Salesn
M. E. Mazur, I. Marks, D. H. Con
M. W. Sgutt, A. L. Aved, W. Evic
Omaha—Branch Mgr. J. H. Jacobs; Sa
men, E. Dunas, E. L. Brichetto,
Morphet, R. Adler; St. Louis—Branch
C. D. Hill; Salesmen, L. A. LaPlante
Bradford, C. Ferris, R. Mortenson; H
Office representatives: L. L. Savage,
Altshuler; Canada—General Mgr. of Can
L. Rosenfeld; Sales Manager, D. Cop
A. Cass, W. Elman, M. S. Bernstein
Levit.

## *Canada Film Board Measure Now Lo*

Toronto, May 11.—Federal meas
for the establishment of the Natio
Film Board in the Dominion has
come an enactment of the Governm
by Royal Assent and the stage is
for the organization of the comm
sion to sponsor and govern the p
duction, distribution and exhibition
"national films" and document
short subjects under the chairm
ship of the Minister of Trade
Commerce.

A National Film Commissioner is
be appointed for three years wh
an advisory committee is to organ
a central film distribution service.
film exchange is to be operated un
the auspices of the Canadian Gove
ment Motion Picture Bureau.

## *Plan Industry Histor*

Hollywood, May 11.—"Hollyw
Cavalcade," history of the mot
picture industry, to be produced
20th Century-Fox, will be made
color, with a budget estimated by
studio at $2,000,000. Mack Sennett
aiding Harry Joe Brown in the p
duction.

## *McCrea to Warners*

Joel McCrea has been borrowed
Warners from Sam Goldwyn for
leading role in "Career Man," to
directed by Lloyd Bacon.

# ebate on Ads ickles Ampa; core is 2 to 1

three-cornered debate on film adtising methods at the Ampa eon yesterday at the Astor sed and instructed a large atdance. At the conclusion it was consensus that the score was two one.

he two who gave the majority nion were Harry Goldberg, War- Theatres advertising director, and ward Dietz, advertising and pubty chief for M-G-M. The dissent s delivered by Dr. J. S. List, psylogist and specialist in radio and research, who is connected with C and the National Board of Rew.

### List Amplifies Charges

he debate was an extension of Dr. t's charges at a previous Ampa eting that "nothing new in film adtising has been developed by the intry since it was started." He had ised research to determine patrons' ction.

oldberg said, among other things, t he had tried research and it ved of no value, that there can no scientific approach to film adtising and that the only proved thod is that of trial and error.

ietz backed him up and declared t the picture cannot be entirely ck considering that in the 10 years io has reached its flower, film thee attendance has increased 100 per t. The necessity to use the forla of where and when a film is ying and how much it costs has tricted advertising men in their apach to the consumer, he said.

### Human Nature Unchanged

n rebuttal, Dr. List held up two G-M ads, pointing out an illustran used was similar to one which eared in a trade ad 15 years ago. Seadler, M-G-M advertising mana-, had the last word. He said, in ect, that human relationships have n unchanged since the Garden of en.

aul Lazarus, Jr., president, said t the meeting next Thursday will ter around the 1938 Quigley Grand ards winners. The May 25 meet- will be the final one of the season. e first fall meeting will honor past sidents of the organization.

## es Moines Club Elects

ES MOINES, May 11.—G. Ralph anton has been elected president of local Variety Club, with Nate dler, vice-president; Lou Elman, retary; Harry Schiffrin, treasurer; w Levy, chairman of the house and es committee. The club has rened to its former rooms in the tel Savery.

## Heifetz Biography

OLLYWOOD, May 11.—Deems Tay-, music critic and commentator, has ived here to work on a biography Jascha Heifetz to be used in contion with the exploitation of Sam- Goldwyn's "Music School" in ich the violinist appears.

# *Hollywood Preview*

## *"Only Angels Have Wings"*

*(Columbia)*

HOLLYWOOD, May 11.—Everything that makes a good picture—an excellent story, intelligent direction and production, skillful characterizations, thrilling spectacle, technical perfection and a lusty appeal to the emotions—is embodied in "Only Angels Have Wings," which Columbia announces as the first effort for it of Howard Hawks, some time ago signed as a director-producer.

A story of a group of intrepid aviators blazing a trail for a commercial aviation line over the Andes with their base as a little banana port, the film furnishes stimuli to every emotion.

It is a picture in which intelligent showmen can find point and counterpoint for their campaigns. Primary strength, of course, lies in the names of Cary Grant and Jean Arthur, who ably plays the leading feminine romantic interest. The picture also marks the return to the screen of Richard Barthelmess, a name which, judging from preview audience reaction, is still potent. A group of dependable players including Rita Hayworth, Thomas Mitchell, Allyn Joslyn, Sig Rumann, Victor Kilian and Noah Beery, Jr., complete the cast.

Hawks, who produced and directed the film, also furnished the story which Jules Furthman adapted with a fine appreciation for each scene.

The appeal of "Only Angels Have Wings" lies not merelv in the aviation spectacle—and there are flying scenes in the film that have never been surpassed in any air picture—but also in the play upon human nature. The central figure is Grant, in one of his best performances, who has the role of a hard-headed chief of a transport line being established in South America. Jean Arthur, a showgirl, falls in love with him on sight and leaves her boat at the banana port to be near him. With storms and bad weather a constant menace to life, Grant forces his pilots through with the mail in order to qualify for a government subsidy. Barthelmess comes on the scene, a pariah among flyers, and his wife, Rita Hayworth, to whom Grant was formerly married.

Mention must be made of the technical skill with which the picture was endowed. Outstanding aerial photography by Elmer Dyer, special effects by Roy Davidson and the work of Paul Mantz, technical advisor and chief stunt pilot, contribute much to the punch of the film. "Only Angels Have Wings" is a picture to push.

Running time, 119 minutes. "G."* VANCE KING

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*"G" denotes general classification.*

# *Out Hollywood Way*

HOLLYWOOD, May 11.—JOHN WAYNE, whose work in Wanger's "Stagecoach," has made him one of the most sought after actors in Hollywood, has been loaned by Republic to RKO for "Pennsylvania Uprising," to be based on the NEIL SWANSON novel, "The First Rebel." P. J. WOLFSON will produce the picture with an extended budget. EDWARD ELLIS is also cast for an important role. . . . BETTY FIELD, young Paramount contractee, will play opposite JACKIE COOPER in "Seventeen," from the BOOTH TARKINGTON story. . . . EDWARD G. ROBINSON's one picture commitment at M-G-M will be "Blackmail," which starts next week with H. C. POTTER directing and JOHN W. CONSIDINE, JR., producing. . . .MAY ROBSON has been signed by HERBERT WILCOX to support ANNA NEAGLE in the story of the life of EDITH CAVELL for RKO release.

LUCILLE BALL gets her most important role to date—that of the feminine lead in RKO's "The Night of January 16," from the play of the same name. . . . HUMPHREY BOGART, PRISCILLA LANE and ANN SHERIDAN will support JAMES CAGNEY in Warners' "The World Moves On," story of a taxi cab driver who became a racket lord. . . . M-G-M has purchased "A Call on the President," story by DAMON RUNYON, and EDGAR SELWYN will produce it. MELVILLE BAKER is working on the screenplay. . . . Paramount is instituting a wide search for a girl singer, about 15 years old, to be given an important role in "Victor Herbert," which ANDREW STONE will produce and direct. . . . ADELA ROGERS ST. JOHN has been set by Paramount to write the screenplay for "I Want a Divorce," from the radio program of the same name now on a national hookup.

✚

*Casting*—VINCENT PRICE to "The Knight and the Lady," Warners. . . . JOSEPH SCHILDKRAUT to "Lady of the Tropics," M-G-M. . . . LENI LYNN to "The Women," M-G-M. . . . AKIM TAMIROFF has taken, at his own request, a minor role in "Are Husbands Necessary?" co-starring FRED MACMURRAY and MADELEINE CARROLL. STEFFI DUNA draws the feminine lead in Lesser-RKO's "Way Down South," starring BOB BREEN. . . . ELVIRA RIOS to "The Real Glory," Goldwyn. . . . GALE SONDERGAARD to "The Double Dyed Deceiver," Sherman-Paramount.

# Neely Solution Seen Probable At Allied Meet

COLUMBUS, May 11.—Col. H. A. Cole, national Allied president, believes a solution on controversial issues of the Neely bill can be reached at the national convention in Minneapolis next month. He has so informed the I. T. O. of Ohio.

After a full discussion, a vote will be taken to determine Allied's course on this and other legislation as well as the trade practice code.

### Executives to Convention

MINNEAPOLIS, May 11.—Additional acceptances to attend the national Allied convention here have been received from W. C. Gehring, 20th Century-Fox central division manager; Morgan Ames, Mort H. Singer Theatres; Henri Elman, Monogram Pictures, Chicago; R. R. Biechele, Kansas City; Fred Wehrenberg, St. Louis; Herman Robbins, president of National Screen, and J. Don Alexander, Alexander Film Co.

## *Unionization Fight Is Local in Mexico*

Attempt of the Mexican film workers' federation to enforce unionization of theatres has been localized and is not spreading, according to reports reaching company foreign departments yesterday.

The federation has demanded that distributors cease servicing the Rodriguez Bros. circuit in northern Mexico because the circuit refuses to employ its members and has established a union of its own. It is understood this has been enforced.

The federation is also making wage increases as part of its demands. American company's exchanges employ federation members. The Alameda Mexico City's leading theatre, and the Iris there have been included in the service boycott, although not involved in the dispute.

## *Bingo Drops 26% in Cincinnati in April*

CINCINNATI, May 11.—Despite the fact that Bingo activities here fell off one-fourth in April compared with the March figures, exhibitors find little consolation in the report. A survey of the local houses shows that the game continues to make appreciable inroads on theatre attendance.

According to reports of the police department, the number of games declined 26 per cent, attendance 22.5 per cent, receipts 23.7 per cent and prizes 19.2 per cent. Numerically, there were 154 games in April. Attendance was 149,087; gross receipts, $110,243.89; prizes, $27,887.10 and net profit, $82,356.79.

## *Extend Ruben Pact*

HOLLYWOOD, May 11.—M-G-M has extended the producer contract of J. Walter Ruben, whose next picture will be "Thunder Afloat," Navy story in which Wallace Beery and Robert Young will be featured.

## ‘Victory’ in Minneapolis Does $8,400

MINNEAPOLIS, May 11.—“Dark Victory” led the box-office procession in Minneapolis, getting $8,400 at the Century. Next best was “Stagecoach” at the Orpheum, which was good for $4,900.

In St. Paul, “Three Smart Girls Grow Up” did handsomely at the Riviera, getting $3,900.

Estimated takings for the week ending May 4:

### *Minneapolis:*

**“Adventures of Jane Arden” (W. B.)**
**“Flying Irishman” (RKO)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,650. (Average, $1,500)
**“Dark Victory” (W. B.)**
CENTURY—(1,600) (25c-40c) 7 days. Gross: $8,400. (Average, $4,000)
**“Zenobia” (U. A.)**
GOPHER—(990) (25c) 8 days. Gross: $4,100. (Average, $2,500)
**“Stagecoach” (U. A.)**
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $4,900. (Average, $4,800)
**“The Story of Alexander Graham Bell” (20th-Fox)**
STATE—(2,300) (25c-40c) 7 days. Gross: $4,700. (Average, $4,400)
**“Three Smart Girls Grow Up” (Univ.)**
WORLD—(400) (25c-55c) 7 days, 3rd week. Gross: $1,200. (Average, $1,400)

### *St. Paul*

**“Stagecoach” (U. A.)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $2,900. (Average, $3,200)
**“The Story of Alexander Graham Bell” (20th-Fox)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $2,900. (Average, $4,000)
**“Three Smart Girls Grow Up” (Univ.)**
RIVIERA—(1,000) (25c) 7 days. Gross: $3,900. Average, $1,800)
**“Secret Service of the Air” (W. B.)**
**“Sudden Money” (Para.)**
**“Bulldog Drummond’s Secret Police” (Para.)**
**“Inside Story” (20th-Fox)**
TOWER—(1,000) (25c) 7 days. Dual bills, split week. Gross: $2,300. (Average, $1,600)
**“Woman Doctor” (Rep.)**
WORLD—(400) (25c-35c) 6 days. Gross: $400. (Average, $700)

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## ‘Affair’ at $5,200 In Oklahoma City

OKLAHOMA CITY, May 11.—“Love Affair,” with $5,200 at the Criterion, was fairly strong in a week of generally dull business, with fair weather and the opening of swimming pools and amusement parks chiefly responsible.

Estimated takings for the week ending May 4:

**“Love Affair” (RKO)**
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $5,200. (Average, $5,500)
**“Blackwell’s Island” (W. B.)**
**“Sudden Money” (Para.)**
LIBERTY — (1,200) (20c-25c) 4 days. Gross: $1,700. (Average, $1,800)
**“Within The Law” (M-G-M)**
**“Beauty For The Asking” (RKO)**
LIBERTY — (1,200 (20c-25c) 3 days. Gross: $700. (Average, $700)
**“I’m From Missouri” (Para.)**
MIDWEST—(1,200) (25c-35c-40c) 7 days. Gross: $4,300. (Average, $4,500)
**“Dodge City” (W. B.)**
PLAZA—(750) (25c-35c-40c) 7 days, 3rd week. Gross: $1,500. (Average, $1,700)
**“The Strange Case of Dr. Meade” (Col.)**
**“Tough Kid” (Mono.)**
STATE—(1,100) (20c-25c) 7 days. Gross: $2,000. (Average, $2,500)
**“Society Lawyer” (M-G-M)**
TOWER—(1,000) (25c-35c-40c) 7 days. Gross: $1,800. (Average, $2,500)

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# *Hollywood Previews*

## *“Hotel Imperial”*

*(Paramount)*

HOLLYWOOD, May 11.—Persons coming in late on this picture may be pardoned for thinking the young woman playing the single feminine role is Marlene Dietrich back in her youthful form again and back in the kind of picture she made her fame in. Isa Miranda, Paramount import, looks and acts that much as Miss Dietrich used to, and the film is a war picture depicting life and love as of a town captured and surrendered repeatedly by Austrians and Russians in 1916. It is as good as, or better than, any of like kind made in the years when the conflict raging in that era was popularly referred to as the last war.

Miss Miranda’s resemblance to Miss Dietrich is incidental. She is a competent actress in her own right. She has competent company in Ray Milland, romantic lead; Reginald Owen, an entertaining Russian general; J. Carrol Naish, a spy, and Gene Lockhart, general manager of the Hotel Imperial. Don’t let the title persuade you that it’s a “Grand Hotel” type of story; it isn’t. Miss Miranda plays a Polish girl who hires out as chambermaid at the hostelry in hope of finding out why her sister, who worked there, killed herself. Naish turns out to be the reason, but is killed by Milland, Austrian officer, before she has a chance to dispatch him. A bombardment precedes the happy ending.

Stanley Goldsmith produced, opulently and well, with Robert Florey directing effectively from a screenplay by Gilbert Gabriel and Robert Thoreen based on a play by Lajos Biro. It is a solid, well built piece of entertainment, with the hero a Pole serving as an Austrian officer and the villain a Russian spy. A song by Frederick Hollander and Ralph Freed, sung by Miss Miranda and the Don Cossack Chorus, is noteworthily interpolated.

Running time, 80 minutes. “G.”*

ROSCOE WILLIAMS

## *“Fixer Dugan”*

*(RKO)*

HOLLYWOOD, May 11.—While the theme of “Fixer Dugan” tells a human interest story, the presence of Virginia Weidler in the cast and the character effects incorporated in backgrounds make it more a show for youngsters than it is entertainment for adults. Some of the oral details contingent upon telling the light weight story are long drawn out, but as a threadbare itinerant circus is the major locale, production features endow the piece with considerable excitement, thrill and suspense.

As the circus “fixer,” Lee Tracy has plenty to do in keeping the show out of financial and legal difficulties, but his major problems are acting as waif Miss Weidler’s guardian and trying to keep lion tamer Peggy Shannon’s animals from being repossessed. In the beginning Miss Shannon has little regard for the child, but the girl gradually wins her affection and after Virginia runs away from an orphans’ home Miss Shannon’s heroic work in rescuing her from an escaped lion convinces authorities that she and Tracy, who are to be married, will be proper foster parents for the little girl.

From an acting viewpoint, Miss Weidler steals the show whether her part calls for her to display pathos or comedy. Yet Tracy, Miss Shannon, Bradley Page, William Edmunds, Edward Gargan and Jack Arnold contribute adequate performances.

Based on a story by H. C. Potter, Bert Granet and Paul Yawitz did the screenplay. The manner in which Lew Landers supplemented the theme with color and action gives his direction a showmanship flair.

Running time, 60 minutes. “G.”*

G. McC.

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*“G” denotes general classification.*

## *American Films Gain In Peruvian Market*

WASHINGTON, May 11.—American films are gaining ground in Peru, according to a report from Acting Commercial Attache David M. Clark at Lima to the Department of Commerce. Spanish dialogue films are losing favor because rentals have been increased and their themes lack interest.

English language films advanced from 48.5 per cent in the first quarter of 1938 to 52 per cent in the same quarter this year. Spanish film declined from 41.5 per cent to 39.7 per cent.

## *R. I. House Fireman Measure Approved*

PROVIDENCE, May 11.—Gov. William H. Vanderbilt has signed the Whitwam bill authorizing theatres in Cranston, R. I. to engage men other than regular members of the city fire department for theatre duty as firemen. Men must have approval of the fire chief. The law also requires all Cranston theatres to have alarm boxes.

The Whitwam bill was the only one of three introduced affecting theatre business to be passed by the Rhode Island legislature during the current session.

## ‘Pacific’ Is Denver Lead With $14,00

DENVER, May 11.—“Union Pacifi
ran to near capacity at the Denhar
and grossed a smash $14,000. “D[illegible]
City” gave the Aladdin a strong se
ond week $5,000 and “Three Sma
Girls Grow Up” took $11,000 at tl
Denver.

“The Hardys Ride High,” wi
“They Made Her a Spy,” drew $11
500 at the Orpheum.

Estimated takings for the week en
ing May 3:

**“Dodge City” (W. B.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2
week. Gross: $5,000. (Average, $3,500)
**“Broadway Serenade” (M-G-M)**
**“Society Lawyer” (M-G-M)**
BROADWAY—(1,100) (25c-40c) 7 day
2nd week. Gross: $2,000. (Average, $2,50
**“Union Pacific” (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 day
Gross: $14,000. (Average, $6,500)
**“Three Smart Girls Grow Up” (Univ.)**
DENVER—(2,525) (25c-35c-40c) 7 day
Gross: $11,000. (Average, $9,000)
**“The Hardys Ride High” (M-G-M)**
**“They Made Her a Spy” (RKO)**
ORPHEUM—(2,600) (25c-35c-40c) 7 day
Gross: $11,500. (Average, $8,500)
**“Ambush” (Para.)**
**“Secret Service of the Air” (W. B.)**
PARAMOUNT—(2,200) (25c-40c) 7 day
Gross: $3,000. (Average, $3,500)
**“Hound of the Baskervilles” (20th-Fox)**
**“Everybody’s Baby” (20th-Fox)**
RIALTO—(878) (25c-40c) 7 days, “Houn
2nd week. Gross: $1,500. (Averag
$1,750)

## ‘Victory’ $23,000 Leader in Capita

WASHINGTON, May 11.—“Dark Vi
tory” drew an excellent $23,000
Warners’ Earle.

“Dodge City” was the only oth
bright spot, with $7,000 at the Metr
politan.

Estimated takings for the wee
ending May 4:

**“The Lady’s From Kentucky” (Para.)**
LOEW’S CAPITOL—(3,434) (25c-66c)
days. Stage: Jessica Dragonette. Gros
$14,800. (Average, $16,500)
**“Midnight” (Para.)**
LOEW’S COLUMBIA—(1,243) (25c-40c)
days, 2nd run. Gross: $4,000. (Averag
$4,500)
**“Wuthering Heights” (U. A.)**
LOEW’S PALACE—(2,370) (25c-55c)
days, 2nd week. Gross: $9,000. (Averag
$12,000)
**“Three Smart Girls Grow Up” (Univ.)**
RKO-KEITH’S—(1,836) (25c-55c) 7 day
3rd week. Gross: $5,000. (Average, $6,00
**“Dark Victory” (W. B.)**
WARNERS’ EARLE—(2,218) (25c-66c)
days. Stage: Marian Talley. Gross: $23
000. (Average, $16,000)
**“Dodge City” (W. B.)**
WARNERS’ METROPOLITAN — (1,59
(25c-40c) 7 days, 2nd run. Gross: $7,00
(Average, $4,000)

## *Halt Wilmington Picket*

WILMINGTON, Del., May 11.—Char
cellor W. W. Harrington has grante
the application of the Rialto Theatr
Co. for an injunction forbidding th
picketing of the company’s New Ri
alto here. The action arose out of
dispute between the management an
the projectionists union.

## *‘U’ Gets Veteran Pact*

Universal again has been awarde
the contract to supply features, short
and newsreels to the 80 Veteran
Hospitals and Soldiers’ Homes, b
the U. S. Veterans Administratio

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# Nets Complete Plans on Visit Of Monarchs

Network radio schedules covering the tour of the King and Queen of England virtually have been completed, with NBC set to do 23 programs, CBS 22 and Mutual 22. Canadian Broadcasting Corp. is cooperating with all three networks. Approximately the first 11 broadcasts by the three webs will be carried through the cooperation of the Dominion network.

The initial program will mark the arrival of the Royal couple in Quebec and the attendant ceremonies to be broadcast include the parade to the Parliament Building, King George's address at a luncheon in his honor, and other events.

Other Canadian points at which programs will be picked up are Montreal, Ottawa, Toronto, and Victoria. In the United States, broadcasts are scheduled from Niagara Falls, Washington, Mount Vernon, Arlington and New York. The Royal party's return to Canada, and the King's farewell address from Halifax, June 15, also will be covered by the networks.

### CBC Uses Destroyer For Gulf Broadcast

MONTREAL, May 11.—Two Canadian destroyers were cruising in the St. Lawrence gulf today, one carrying CBC commentator Ted Briggs, and equipment with which CBC will flash news to the world of the British royalty's arrival in Canadian waters tomorrow.

When Briggs first sights the *Empress of Australia,* he will flash word to Toronto headquarters for national network program.

It is expected the destroyer will meet the *Empress* sometime tomorrow afternoon or early evening. On Saturday CBC will supply a broadcast to the three major U. S. chains and to those in the British empire.

### Colonel Cooper to Meet Monarchs in Toronto

TORONTO, May 11. — Among the favored few to receive official invitations to meet the British Monarchs personally at the formal reception in the Parliament Buildings, Toronto, May 22 is Col. John A. Cooper, president of the Motion Picture Distributors of Canada, who, with Mrs. Cooper will be presented to them.

## *Standard Oil Takes New Series on WOR*

Standard Oil Co. will sponsor a five times weekly transcribed serial, "Career of Alice Blair," over WOR, starting May 15, Monday through Friday from 9:30 to 9:45 A. M. McCann Erickson placed the account.

Manhattan Soap Co. will present Jack Berch in a Tuesday and Thursday song series over the same station, starting May 16, 12:05 to 12:30 P. M.

## *Officials NBC Guests*

Congressional party of 250, including members of Congress and their families, were guests of NBC at a special television showing last night at Radio City.

### *A Major Surprise*

**Major Lohr experienced a pleasant surprise yesterday. He went to the World's Fair to attend what he thought was to be a routine luncheon. Instead the party was in his honor, given by concessionaires and persons who were with Lohr at the Chicago Exposition, of which he was the director.**

# ▸ *Radio Personals* ◂

PHIL LORD may sell his "District Attorney" series to Bob Hope's sponsors for the summer spot. . . . George McCoy has rejoined Fred Coll in publicity. . . . Bea Wain is leading the *Radio Guide* "Star of Stars" election. . . . Charles Green, Consolidated Radio Artists president, is back at work after a siege of flu. . . . Ben Gross, radio editor of the *News,* confined to his home with an attack of pleurisy. . . . George Hicks will do his "Names Make News" program from two points in Canada while covering the visit of the Royalty.

## *To Better Facilities In British Columbia*

MONTREAL, May 11.—A survey of radio coverage in British Columbia will be launched soon by Canadian Broadcasting Corp. It is seen as an important preliminary to improving reception throughout that province, possibly by the construction of a new high-powered station.

British Columbia has been one of CBC's major problems. At present radio broadcasts are received by only two-thirds of the populace; there is a vast area both in the interior and in the north not serviced. Two possibilities for improvement are a 50,000-watt station at Vancouver, or establishment of a chain of subsidiary stations in the province.

## *Urge Air Opinions Not Be Sponsored*

OTTAWA, May 11.—Network broadcasting of opinions on current affairs should not be available for commercial sponsorship but more adequate time should be provided free for this purpose, it was indicated in the final report of the House of Commons Committee on Radio, which has been tabled.

Direct recommendations in the report called for repeal of the regulation by which receiving set vendors must see purchasers have licenses, suggested that party political broadcasts during election campaigns should be on a sustaining basis only, and said that fees for private broadcasting should be revised.

## *"Tovarich" on Lux Hour*

William Powell and Miriam Hopkins have been signed to perform "Tovarich" in the Lux "Radio Theatre" May 15 over CBS. Cecil B. DeMille returns to the program as producer at the same time, after an absence to exploit "Union Pacific."

# NBC Revenue From Cigarette Accounts Is $109,936 Weekly

Beginning June 19, when Liggett & Myers will present Fred Waring over NBC, revenue from cigarette accounts with the network will have increased 853 per cent in the past five years. In 1934, NBC's revenue from this field averaged $11,539 weekly. After June 19, the weekly revenue will total $109,936.

A breakdown of the cigarette accounts now shows Phillip Morris spending $10,220; Lorillard, $18,429; American Tobacco, $19,600; Brown & Williamson, $26,531; Liggett & Myers, $35,156.

## *Munro, Seldes Due Today from England*

Donald Hunter Munro, British Broadcasting Corp. television production manager, serving CBS on a "loan" basis, and Gilbert Seldes, CBS director of television programs, arrive today on the *Georgic.*

Seldes and Munro sailed for England six weeks ago, the former to make a survey of BBC's television production technique. Seldes' and Munro's joint discussions and observations were made to help CBS define methods applicable to American television production. After spending another month here as CBS's television consultant, Munro will return to London to resume his duties with BBC.

CBS television transmitter in the Chrysler Building is being tested.

## *Miller System Buys Advertiser Service*

Advertisers Recording Service, direct acetate recording company, has been sold by Jean V. Grombach to the Miller Broadcasting System. Grombach also has sold the studios and transcription and recording equipment of Jean V. Grombach, Inc., and Grombach Productions, Inc., to Miller.

Grombach Productions and Jean V. Grombach, Inc., will continue in business, while the entire personnel of Advertisers Recording Service will be taken over by Miller Broadcasting. For the past year the Miller interests have been affiliated with Grombach productions, experimenting in the production of tape transmission which permits motion picture technique, cutting and editing.

## *Columbia and NBC Top Baseball Teams*

Standing of the teams of the Motion Picture Baseball League after the first six games is as follows: Columbia and NBC tied for first place, each team winning one game with no defeats; Consolidated Film Industries, Rockefeller Center, RKO and Skouras Theatres tied for third place after one win and one loss apiece; Loew's and Paramount, last, each with one loss.

## *Thomas to Air Opening*

Lowell Thomas will be one of the guest speakers on the nationwide broadcast over Mutual of the "Young Mr. Lincoln" premiere at the Fox Lincoln, Springfield, Ill., Memorial Day.

# Banner LINES

ASPIRIN was consumed plen fully in Washington the oth day by the special events cre of WJSV and the Paramount co tingent traveling with the "Union P cific" train.

The half-hour exploitation prog was scheduled for 2 P. M., whereup it developed that the old-fashion wood-burner cannot travel very fa and would be delayed. Equipment wa set up on the lower level of the Wash ington depot. Then the Paramou people decided that it would be an in position on the public if it came in the lower level, and demanded th the equipment be brought up to t upper level, and so the equipment w transferred. The train arrived on t upper level and on time, too, but was shoved into track 27 instead track 30, where it was expecte That's when the harassed WJSV cre went on strike. The broadcast wou come from track 30, else they we going home. The train was shifted

Now for the denouement. WJSV blaming the whole thing on Warner being under the impression th "Union Pacific" is that company picture.

▼

*The answer that the foreign-bo gentleman gave Ray Perkins in t broadcast from the Westinghouse e hibit at the World's Fair the oth day lingers with us. The gentlema said there was one advantage in b ing a European. Everyone there h the opportunity of becoming the U known Soldier of the next war.*

▼

**It's Nick Kenny's idea, and good one. He is about to orga ize a "join Boy's Town" movemen with annual dues of $1, the mon to be sent to Father Flannagan.**

▼

Noses of Abe Schechter, Pa White, Mike Foster and Ed Haake the first two special events and new directors of NBC and CBS, respe tively, are buried in books these da —etiquette books on how to act in t presence of Royalty. They all lea tomorrow for Canada.

▼

*Martin Starr, WMCA's film criti will review "Confessions of a Na Spy" tonight at 11:45 P. M. Wh makes it an item for the column that Starr covered the actual s trials for 10 weeks.*

—JACK BANN

## *WOKO Studio to Be Dedicated Tomorro*

ALBANY, May 11.—New buildin and studios of WOKO, CBS affilia here, will be dedicated Saturday, wi ceremonies to include salute progra over the CBS network. The ne building is a five-story structure o Capitol Hill, with four studios and large auditorium.

Dedicatory program from WOK will be aired from 9 to 10 P. M., whil CBS will salute its affiliate with program of Jan Garber's music fro 11:30 to midnight. The WOKO o ganization will include talks by number of state officials. Harold Smith is general manager of the st tion.

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# Trade Pact's Start Is Beset By Obstacles

## rbitration Vital Point, Rodgers Indicates

No final arrangements for put- g the industry trade practice pro- am into effect can be made until liberations on the arbitration provi- ns of the program have been com- eted, William F. Rodgers, chairman the distributors' negotiating com- ttee, said over the weekend in re- onse to a query.

Rodgers said that the method of option of the plan by the industry contingent upon the outcome of the rrent efforts to agree on arbitration ocedure and that pending the conclu- n of those efforts, no definite plans ve been made for putting the plan o operation.

The lawyers' committee which is ndling the arbitration problem is eduled to meet within the next few ys and may have a decisive report make shortly thereafter.

A canvass of distribution compa- s late last week revealed consid- able indecision among sales execu- es as to whether or not they would willing to put the other phases of trade program into effect by in- rporating them in exhibition con- acts in the event the arbitration ef- ts failed to produce results.

Current indications are that only

(*Continued on page 2*)

## A Executives Head East After Meetings

Hollywood, May 14.—Harry Buck- , James Mulvey and Harry Gold, ited executives, left for New York er the weekend with the last of the legates to the U.A. annual sales con- ntion here.

Murray Silverstone, head of world- de operations for the company, is pected to stay over until Tuesday d will leave then for the east with J. Schlaifer.

## 0th-Fox Drive Will Honor J. M. Schenck

Seventh annual S. R. Kent Drive ll be dedicated by 20th Century-Fox Joseph M. Schenck, chairman of board, in celebration of his 30th niversary in the amusement field.

Plans for the drive, to start Aug. will be mapped on the return from road next Monday of Herman Wob- r, general sales manager.

## *Variety Clubs Give Charities $250,000*

**Pittsburgh, May 14.—More than $250,000 was contributed to charities during 1938-'39 by Variety Clubs of America, it was announced by John J. Maloney, chairman of the charity committee, who is district manager for M-G-M.**

**The silver plaque for the most noteworthy charity during the year will be awarded to Tent No. 11 at Washington. It installed a Premature Birth Station at Sibley Hospital, where more than 200 infants' lives were reported saved.**

## NBC Organizes Own Newsreel for Use in Television

NBC's television division has set up its own newsreel for television. Titled "Teletopics," several issues already have been released on the air. These have included the filming of the re-enactment of President Washington's inauguration, a number of World's Fair sequences, and clips purchased from independent producers and amateur operators, which have been inserted into the Teletopics reels.

The reels are on regulation 35 millimeter film and vary in length, the running time averaging five to seven or eight minutes. A regular camera crew has been engaged by NBC to make the reels.

NBC refers to "Teletopics" as "just an experiment," and there is no indication as to what the future status of the "experiment" will be.

# AFL PROBES REDS IN STUDIO UNIONS

## Government Talks Fail to End Fight Of Mexican Union

By JAMES LOCKHART

Mexico City, May 14.—Discussions called at the request of the Government having failed thus far, the end of the controversy involving American distributors in the union fight between the Federation of Mexican Cinematographic Workers and Rodriguez Brothers, circuit operators, is not in sight.

The union, most powerful film labor organization in the country, has denied reports that the boycott against the five Rodriguez theatres in Neuvo Leon State, near the American border, is designed to halt the exhibition of American films in Mexico.

The labor group asserts the prevention of exhibition here of films of M-G-M, Universal, RKO and Columbia is purely a disciplinary measure taken because the distributors defied the federation order that no American or Mexican films be rented to the Rodriguez circuit. The federation accuses the circuit of unfair tactics in the organization of an alleged company union, refusing to employ federation members, and paying their employes lower than union scale.

The boycott locally has embarrassed the Alameda, Iris and Olympia here, which have been forced to use French and some Mexican films to carry on.

## *IATSE Officer to Present Evidence to Officials In Washington*

By VANCE KING

Hollywood, May 14.—Communistic tendencies in Hollywood labor unions will be extensively investigated by officers of various American Federation of Labor internationals with which production craft units here are affiliated.

The inquiry, sought for a long time by A. F. of L. leaders here, broke out into the open Friday night at a meeting of the Los Angeles Central Labor Council, when J. W. Buzzell, veteran labor man and executive secretary of the council, charged on the floor that C.I.O. and Communist sympathizers had infiltrated every production craft local in Hollywood.

### Evidence to Washington

At the same time it was learned that John Gatelee, international officer of the I.A.T.S.E., who took over its local No. 37, will fly to Washington during the week to present evidence of radicalism and sabotage of A.F. of L. movements by C.I.O.-minded persons.

Buzzell said radicals and C.I.O. officials have the tacit aid of local authorities in creating chaos and confusion in Hollywood labor situations. He added that the Los Angeles *Citizen*, official local A.F. of L. organ, will start its own expose of C.I.O. workings in Hollywood.

### May Combine Probes

All internationals having local organizations in Hollywood will either join in a united A.F. of L. investigation or conduct separate probes. Penal-

(*Continued on page 2*)

## *Television Boom in England*

Gilbert Seldes, CBS television program director, and Donald Hunter Munro, British Broadcasting television production manager, the latter on "loan" to CBS, returned Friday from a month's study of BBC television.

Communicative about British television, the pair refused to talk about CBS plans until they have had an opportunity to collate their findings this week.

Television in England, Munro said, is booming. He said that audience reaction there has definitely shown that people will sit in their darkened homes for television. Most popular television programs, he said, are versions of current stage shows, film versions of the plays and regular film features, and sports pickups. He said the standard television screen in England is 12 by 10 inches.

## *Gregg Sentence Friday*

R. E. Gregg, operator of the Pan-American Laboratory in Chicago, who recently pleaded guilty to a charge of distributing unauthorized duped prints, will be sentenced Friday. Gregg faces a maximum sentence of one year imprisonment, a $1,000 fine, or both, but it is not likely that the Copyright Protection Bureau, which obtained the conviction will press for the maximum.

## *Hays Is Due Today From Trip to Coast*

Hollywood, May 14.—Will H. Hays left here by train for New York Friday night after conferring for several days with Cecil B. DeMille on the feature film for the World's Fair, the exhibition title of which is to be changed. The present title is "Our America." Hays is expected to arrive in New York Monday morning.

Dr. James T. Shotwell of Columbia University has arrived here to collaborate with DeMille on completion of the film, which is expected to be ready by Decoration Day.

# Trade Pact's Start Is Beset By Obstacles

(Continued from page 1)

three major distributors, as of this date, are prepared to grant cancellation, score charge elimination and other contractual concessions of the trade program without obtaining an acceptable arbitration procedure subscribed to by a majority of their exhibitor accounts.

There was no denial in this connection that any inability of Allied States to approve the plan or to commit its membership to arbitration, should an acceptable procedure be evolved, might lead to the withdrawal of several distributors from participation. Moreover, some distribution companies still have not decided whether they will put the program into effect in the event the Government persists in its refusal to approve it.

The canvass made it apparent, however, that not all distributors are decided at this stage on incorporating all the contractual provisions of the program in their new season's contracts and permitting them to become effective automatically when the new pacts become operative.

Failure to achieve an acceptable arbitration procedure, failure of a sufficiently representative number of exhibitors to approve the program or failure of the Government to express itself on the subject could make the participation of at least four distributors extremely doubtful, it now appears.

# *AFL Probes Reds In Studio Unions*

(Continued from page 1)

ties for members found guilty of activities detrimental to their own unions include fines, temporary suspension or permanent expulsion.

Behind the Buzzell action and moves by the internationals is believed to be recent attempts of creating a "united front" of production crafts in organization reminiscent of the Federated Motion Picture Crafts which in 1937 called the studio strike.

### Participated in 1937 Strike

Striking organizations at that time were openly aided by the C.I.O. Members of the new crafts federation are Moving Picture Painters, 644; Studio Utility Employes, 724; Machinists Cinema Lodge, 1185; Ornamental Plasterers, 755, all of whom engaged in the 1937 strike; Studio Electricians local, 40; International Brotherhood of Electrical Workers and Studio Carpenters, 946, which are in the basic studio labor agreement, and deposed officers of I.A.T.S.E., local 37.

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# *◂ Purely Personal ▸*

Barney Balaban, Paramount president, and Leonard Goldenson of the home office theatre department, return to their offices today after attending the Interstate Circuit managers' meeting in Galveston last week. Austin C. Keough, vice-president and secretary, who attended the meeting also, is continuing his vacation and will return to New York later.

•

Mort Spring, Jack Kirkland, Harry Oshrin, Robert Milton, Dave Blum, Joseph Rosthal, Eddie Dowling, Carl Fisher, Hiram Sherman, Martin Gobel, Arthur Krim lunching at Sardi's Friday.

•

Sarah Siegel has resigned from Motion Picture Daily to represent Helen Ferguson, Hollywood publicity representative, in New York.

•

Lewen Pizor, president of the United M. P. T. O., Philadelphia, has been named a member of the Philadelphia Flag Committee for the observance of the day June 14.

•

Ben Y. Cammack, assistant to Phil Reisman, RKO foreign manager, arrived in New York from the coast over the weekend after a business trip to the Far East.

•

Eddie Albert, co-star of "The Boys From Syracuse," left for the coast yesterday for work in Warners' "On Your Toes."

•

Jack C. Coffey, ad sales promotion man for Jim Handy in Detroit, has been promoted to the executive contact staff, with headquarters in Wilmington.

•

Henwar Rodakiewicz, associate producer of "The City," documentary film, flew to Hollywood over the weekend.

•

Herbert Rawlinson was guest star at "Gateway to Hollywood" tryouts at Fordham Theatre Friday night.

•

Santiago Castillo, only showman in British Honduras, visiting now in New York, plans circuit in B. H.

•

Lucille Ball, star of RKO's "Panama Lady," is ill and has delayed vacation trip to New York.

•

Joe Walsh, Pathe Sportscope director, discussed "Sport in the Movies" on National Board of Review broadcast.

Nicholas M. Schenck (who seldom lunches outside of his office), Joseph M. Schenck and Louis B. Mayer had a luncheon meeting on Friday at the Plaza.

•

Bernie Scholtz of RCA, Bingo Brandt, Maury Asher, John Manheimer at the Alexander Film Co. open house Friday with Adolph Haas, Ansell C. Knowles and Charles Light as the hosts. Among others were Abe Leff, Lionel Toll, Bill Jones of RCA, Mort Heineman, James Cunningham, Moe Kleinfeld, M. Shenk, H. Alban Mestanza, Carlos Morla, Charles Garrett.

•

Ed Thorgersen is vacationing with Mrs. Thorgersen in Bermuda, his first vacation in six years. They went by Pan-American *Clipper*.

•

Leslie R. Naftzger, vice-president of Dufaycolor, Inc., Omar Kiam, Hollywood dress designer, and Paul Robeson, singer, arrive on the *Normandie* today.

•

Bill Robinson will observe his 61st birthday May 25 by tap dancing his way from the Broadhurst Theatre to 50th St. with a police escort.

•

Libertad Lamarque, Argentine actress, has been signed by Vicente Blanco & Co., Havana, for a personal appearance tour of the Americas.

•

Steve Brooks of Paramount's coast studios will return in a few days after a brief vacation here.

•

George J. Schaefer, RKO president, has extended his coast stay and is not expected back in New York before the end of the week.

•

Carl Laemmle, Jr., left for the coast by train on Friday after a few days' visit in New York.

•

John Murray Anderson, stage producer, sails on the *Normandie* Wednesday for business-vacation trip abroad.

•

Ray Moon of Detroit, who was visiting here last week, left for home over the weekend.

•

Earl Allvine, associate editor, Al Gold and James Foreman are covering the King and Queen of England in Canada for Movietone News.

•

Robert Marc Dirler, connected with the film industry in France, sails tomorrow on the *Ile de France*.

# *To Speed Work on Copyright Changes*

Efforts to complete a program of recommendations for changes in the Federal copyright laws will be speeded up this week in the hope of completing the proposals for Congress.

Meeting of the representatives of the various interests engaged in the proposed revision of the copyright laws, including this industry, met Friday and are scheduled to meet again today and Wednesday in the hope of attaining an early agreement.

# *Ticket Broker Code Is Upheld by Court*

Ticket broker code established by League of New York Theatres was upheld by N. Y. Supreme Court Justice Samuel Hofstadter Friday when the report of Referee Morris Cooper, Jr., was confirmed. Cooper dismissed the suit for an injunction of Acme Ticket Agency against the League and Actors' Equity. The code limits a broker's advance to 75 cents for orchestra seats and 50 cents for balcony.

# Majors to Ask Trust Detail During Wee

Application for a more specific
of particulars in the government's a
ti-trust suit will be filed by the m
on Wednesday or Thursday, it was
vealed by Col. William Donova
office.

The government on Saturday fil
a two-page affidavit and a letter whi
Federal Judge William Bondy, in
ply to the major's affidavit, submitt
in opposition to the government's a
plication for an order dispensing wi
the naming of witnesses under item
of the bill.

The letter, signed by John T. Cahi
U.S. attorney for the local distri
and Paul Williams, special assista
attorney general, urged Judge Bon
to decide the government's applicati
"at the earliest practicable date in
der that the joinder of issue in t
case may be expedited."

The government's affidavit disput
the applicability of Federal Jud
John C. Knox's decision in the s
brought by Vocafilm Corp. of Ameri
against American Telephone and Tel
graph Co., Western Electric Co. a
Erpi, cited by the majors.

# Special Day Fixed For Allied at Fai

May 24 has been officially design
as "Allied Theaters of New Yor
Day by the World's Fair.

Besides the general attention of t
fair, the delegates and their guests w
be guided through a number of fil
showings which highlight many of t
commercial exhibits.

The "Production and Distributio
show is an eight-minute film with se
en synchronized projectors focused
a screen 10 feet high and 100 fe
wide. Another attention center will
the three dimensional film in t
Chrysler exhibit.

MOTION PICTURE
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# 'Pacific' at $12,000 Holds Denver Lead

DENVER, May 14.—"Union Pacific" the second week at the Denham, ued at a smash pace, taking 00. "Lucky Night" and "Let eedom Ring" at the Orpheum was ong with $10,000.

Estimated takings for the week end- g May 10:

**hree Smart Girls Grow Up" (Univ.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd eek. Gross: $2,750. (Average, $3,500)

**he Hardy's Ride High" (M-G-M)**
**hey Made Her a Spy" (RKO)**
BROADWAY—(1,100) (25c-40c) 7 days, week. Gross: $3,000. (Average, $2,500)

**nion Pacific" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days, week. Gross: $12,000. (Average, 500)

**ark Victory" (F. N.)**
DENVER—(2,525) (25c-35c-40c) 7 days. oss: $7,000. (Average, $9,000)

**ucky Night" (M-G-M)**
**et Freedom Ring" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. oss: $10,000. (Average, $8,500)

**eturn of the Cisco Kid" (20th-Fox)**
**amily Next Door" (Univ.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. oss: $4,500. (Average, $3,500)

**odge City" (W. B.)**
**hasing Danger" (20th-Fox)**
RIALTO—(878) (25c-40c) 7 days. "Dodge y" 3rd week. Gross: $2,500. (Average, 750)

## chedule of Games In Baseball League

Schedule of games in the Motion cture Baseball League follows: May 15, Skouras vs. Rockefeller nter; May 17, Consolidated Film dustries vs. Loew's; May 19, RKO . Paramount; May 20, NBC vs. lumbia; May 22, Loew's vs. Rockeller Center; May 24, Paramount vs. F. I.; May 26, NBC vs. Skouras; ay 27, Columbia vs. RKO; May 29, ew's vs. NBC; May 31, Rockeler Center vs. Paramount; June 2, KO vs. Skouras; June 3, Columbia C. F. I.; June 5, NBC vs. Rockeler Center; June 7, C. F. I. vs. KO; June 9, Paramount vs. Loew's; ne 10, Columbia vs. Skouras; June , RKO vs. NBC; June 14, Rockeler vs. C. F. I.; June 16, Skouras Loew's; June 17, Paramount vs. lumbia.

## Frohman Reelected

Daniel Frohman was reelected esident of the Actors Fund of nerica at its 58th annual meeting Friday. Walter Vincent of Wilr & Vincent was reelected first vice-esident. Other officers are Major rnard A. Reinold, second vice-presint; Sam A. Scribner, treasurer, and bert Campbell, secretary. Trustees cted for three years are A. O. own, Richard Herndon, Frank Mctyre, Chrystal Herne, Otis Skinner d Raymond Peck.

## "Command" Showing

**President Roosevelt requested a private showing of "Juarez" at the White House this week. Warners have gladly acquiesced.**

# Screen's Function to Give Delight, States Jack Cohn

CHICAGO, May 14.—Columbia believes that "the main function of the screen is to provide delight" to its audiences, Jack Cohn, vice-president, told the company's midwestern and Canadian sales forces at the opening session today of the three-day regional sales meeting at the Drake here.

"The world looks today, as never before, for release from care and for entertainment. The duty of the motion picture to entertain should never be forgotten. Where one person may go to the theatre hoping for the strong meat of controversy, hundreds go for lighter but no less important fare.

"This doesn't mean that we must provide the public with immature entertainment. It means that when we have a social message to offer, we must provide it with interest and excitement. Every truly fine picture has its message. Good films combine high entertainment value with something vital to say," Cohn asserted.

Discussing present day methods of selling film, Abe Montague, general sales manager, said that it is progressing along sound business lines as well as embracing principles of showmanship.

"This progress has come about," Montague said, "through the close association between home office executives and the salesmen, through decentralization of authority and the development of manpower. A film salesman must be a combination of showman and business man."

Montague told the men that Columbia would release one important feature a month during the balance of the current season and that additional releases would be scheduled to provide seven features during a two-month period.

Other speakers included Rube Jackter, assistant sales manager; Lou Weinberg and Louis Astor, circuit sales supervisors; Irving Moross, George Josephs and Maurice Grad. Jackter announced the appointment of Joe Jacobs, former salesman at the Minneapolis branch, as Omaha branch manager, and that of Tom Baldwin, former booker at Kansas City, to salesman at that exchange.

## Bank Nights Ruled Legal in S. Carolina

COLUMBIA, S. C., May 14.—Promotion plans akin to Bank Night are not violations of the lottery laws and are therefore legal in South Carolina, the State Supreme Court has ruled.

The ruling affirmed a lower court order restraining the late Sheriff J. H. Coker of Darlington County from interfering with the operation of such a plan by the Darlington Theatres, Inc., and H. R. Berry, theatre operator.

The case was selected for appeal as a test of the anti-lottery laws, although the involved theatres abandoned Bank Night before the suit was heard by the court.

## Five New Companies Chartered at Albany

ALBANY, May 14.—Basil Brothers of Buffalo have incorporated Basbro Theatres, Inc. Nicholas J. Basil of Williamsville, Constantine J. Basil of Buffalo and Theophilos J. Basil of Eggertsville are the directors. Cameo Cinema Corp., Yonkers, has been incorporated. John Harrison Foss, Jr., Henry W. Carr and Samuel Yamin, New York, are the directors.

Other companies include Expeditionary Films, Inc., by Seymour Olian and Rose Hummel; Heights Theatre Corp., by Donald H. Richards, Donald L. Horton and Robert C. Horton, and John Manheimer, and Inter-Star Film Productions, Inc., by Louis Kipnis, Rudolphine Schreiber and Lillian Bendell.

## Delay Game Decision

Kings County Judge Fitzgerald reserved decision Friday on motion made by Harry G. Kosch for a transfer and jury trial of lottery charges now pending in Special Sessions against Christos Carnavos.

## London Notes

LONDON, May 14.—A 57 per cent increase in trade is reported by G. B. Equipments, leading distributors of trade apparatus and furnishings, for the first four months of 1939. It is sponsoring a new sound head which they claim is revolutionary.

The first film to be made by the Communist party of Great Britain is being shown here and is titled, "Peace and Plenty." It attacks the present government.

A BBC questionnaire sent to 4,000 viewers has brought 1,200 replies, 90 per cent of whom favor plays and variety programs from theatres, newsreels, magazines and light entertainment.

## Momand Suit Gets New Hearing Delay

OKLAHOMA CITY, May 14.—Hearing on a motion to dismiss the amended petition of the defendants in the A. B. Momand suit against the Griffith Amusement Co. and 20th Century-Fox, asking $5,000,000 damages for alleged violations of the anti-trust laws, was postponed Friday when D. I. Johnston, defendants' attorney, could not appear in federal court. The hearing is now scheduled for June 16.

## Bingo Bill Passed

HARTFORD, May 14.—Revamped Bingo bill, reported favorably on reconsideration by the Judiciary Committee of the Connecticut legislature, passed the Senate Friday. The House vote is scheduled Tuesday. The new bill does not exclude private operators from running Bingo. The bill provides for local option in cities, to be voted annually.

# 'Nazi Spy' in 2 L.A. Spots Does $28,900

LOS ANGELES, May 14.—"Confessions of a Nazi Spy" drew a total of $28,900 at two houses here, $15,400 at the Warner Hollywood and $13,500 at the Warner Downtown. "Union Pacific" was strong in the second week at the Paramount, with $18,600.

Estimated takings for the week ending May 10:

**"Return of the Cisco Kid" (20th-Fox)**
**"Hound of the Baskervilles" (20th-Fox)**
CHINESE—(2,500) (30c-75c) 7 days. Gross: $12,000. (Average: $12,500)

**"Stolen Life" (Para.)**
4 STAR—(900) (40c-50c) 7 days, 2nd week. Gross: $4,800. (Average: $3,250)

**"Three Smart Girls Grow Up" (Univ.)**
**"The Lady and the Mob" (Col.)**
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $6,900. (Average: $6,500)

**"Return of the Cisco Kid" (20th-Fox)**
**"Hound of the Baskervilles" (20th-Fox)**
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $15,900. (Average: $14,000)

**"Three Smart Girls Grow Up" (Univ.)**
**"The Lady and the Mob" (Col.)**
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $6,500. (Average: $7,000)

**"Union Pacific" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days, 2nd week. Stage: F. & M. revue. Gross: $18,600. (Average: $15,000)

**"Confessions of a Nazi Spy" (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $15,400. (Average: $14,000)

**"Confessions of a Nazi Spy" (W. B.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $13,500. (Average: $12,000)

## To Petition Simon in British Tax Protest

LONDON, May 14.—Joint trade meeting of 17 industry sections on Friday unanimously agreed immediately to petition Sir John Simon, Chancellor of the Exchequer, to receive a deputation seeking adjustment of the increased film taxes. The deputation will be preceded by a detailed resume of the industry's demand that the increases be eliminated.

A committee to draft the memorandum includes: W. R. Fuller, C. E. A.; Frank Hill, K. R. S.; M. N. Kearney, Film Group of the F. B. I.; Gordon Craig, newsreels; George H. Elvin, labor; F. A. Hoare, substandard film, and Miss Vaughan, specialized theatres. The committee will meet Friday.

Meanwhile the Films Council, meeting Wednesday, will consider the trade's protest against the taxes.

## Mistake to "Bully" Writers, Says Towne

**Hollywood writers should not be "bullied journeymen," and the sooner producers concede them freer rein in the making of pictures the better for the industry. This is the opinion of Gene Towne, who has organized The Play's the Thing Productions for RKO release. He is in New York.**

**George Schaefer, RKO president, has given Towne carte blanche to work out his own stories, select his directors and casts.**

# CRITICS AGRE
# PICTURE HA

**N. Y. DAILY NEWS** “Superb is the word f
Music Hall film. Columbia Pictures may well rest on the
laurels for a while, if they wish, for turning out one of th
finest pictures of the year. It is with the keenest pleasure th
we discover 'ONLY ANGELS HAVE WINGS' to be a rare
beautiful production from all angles."

**N. Y. DAILY MIRROR** “A wildly excitin
picture and a profoundly stirring one—vivid atmospheric bac
ground, rousing thrills, spectacular flying, impressive direction

**N.Y. HERALD TRIBUNE** "'ONLY ANGEL
HAVE WINGS' whips up terrific suspense and excitemen
Cary Grant is superb. Jean Arthur is perfect and so is Thom
Mitchell. Barthelmess plays with great skill."

**N. Y. JOURNAL & AMERICA**
"Strong drama...a realistically exciting story of high adventu
and romance; vividly written, vividly acted by an expertl
assembled cast."

# THAT THIS EVERYTHING!

**N.Y. WORLD-TELEGRAM** "Rousing, spectacular, thrilling. A fascinating subject. A real buy for your money."

**N. Y. TIMES** "It is all very exciting! Mr. Hawks has staged his flying sequences brilliantly. He has made proper use of the amiable performing talents of Mr. Grant, Miss Arthur, Thomas Mitchell, Mr. Barthelmess and the rest."

**N. Y. POST** "'ONLY ANGELS HAVE WINGS' is a genuine edge-of-the-seater . . . It will fill tonight's bill and leave enough over for tomorrow's day-dreams."

**N. Y. MORNING TELEGRAPH**

"'ONLY ANGELS HAVE WINGS' is crackling, electric, dynamite-laden melodrama. To Howard Hawks goes our profound admiration plus a nomination for the Academy Award and all other compensation for brilliant direction."

**N. Y. SUN** "As exciting entertainment as the screen has to offer. 'ONLY ANGELS HAVE WINGS' keeps the audience on its toes."

COLUMBIA PICTURES

# Construction In Mexico Is EnjoyingBoom

MEXICO CITY, May 14.—Theatre construction has taken an upward swing in Mexico and promises to continue strong for another couple of years. Eleven large houses are to get under way before summer here and in the provinces, to cost a total of about $2,000,000. American and Mexican capitalists in Mexico are the backers.

Such investors have come to favor theatre construction over any other kind of investment in the present financially jittery state of Mexico because the film houses are about the only enterprise in the country that does a strictly cash business, assuring a swift and steady return on investments.

W. O. Jenkins of Los Angeles, who made a fortune out of sugar in this country, is to build three of the theatres. With seasoned Mexican exhibitors he is completing six others in Tampico, Caxaca City and Toluca. They will seat from 3,500 to 5,500 each and be in service early next year.

## *Metro Holds Fourth Meeting of Bookers*

SAN FRANCISCO, May 14.—Fourth in a series of regional meetings for M-G-M office managers, bookers and checking supervisors is being held here today and tomorrow. The next will be in Chicago next weekend.

Staffs from five branches attending here are: Los Angeles—Ralph W. Carmichael, Jack Valpey, Clifford L. Harris; San Francisco—Thomas Aspell, Jr., Harry W. Schmidt, Harry Weaverling, Harry B. Foxe, Leslie R. Smith, M. J. Noonan; Portland—Mrs. T. I. Hasbrook, A. S. McCarl, Jr., Delmore Nickerson; Salt Lake City—George A. Derrick, Sam Cooper, Byron Darley; Seattle—Joseph E. Comer, Harry Blatt, R. M. Nicholson.

Home office representatives include A. F. Cummings, Charles K. Stern, Joel Bezahler, William Brenner, Parke D. Agnew, M. L. Simons.

## *Plan Bank Night in Warner Ohio House*

MANSFIELD, O. May 14.—Warners' Madison, which recently planned to inaugurate Bank Night, but subsequently abandoned the idea when Mayor Claude M. Hunter instructed police to make arrests if a drawing occurred, now is preparing to resume the project, according to trailer announcements.

City officials had no statement to make beyond saying they "would wait and see how the game is operated."

## *Deny Bank Night Writ*

MILWAUKEE, May 14.—Wisconsin State Supreme Court has refused to grant the request of Circuit Judge Robert S. Cowie, La Crosse, for an order temporarily restraining La-Crosse Theatres, Inc., from conducting Bank Night. The court will hear argument June 7 in the theatre's appeal from a decision overruling its demurrer to Cowie's action.

# *Hollywood Previews*

## *"Tell No Tales"*

*(M-G-M)*

HOLLYWOOD, May 14.—Here's a picture with so much entertainment quality in its favor that it may develop into a genuine surprise attraction. Smartly written for the screen by Lionel Houser from the Pauline London-Alfred Taylor original story, intelligently staged by Edward Chodorov and directed with precision and tenseness to capitalize on all amusement and personal values by Leslie Fenton, "Tell No Tales" stars Melvyn Douglas and Louise Platt and features Douglas Dumbrille, Gene Lockhart, Florence George, Halliwell Hobbes, Zeffie Tilbury, Hobart Cavanaugh, Theresa Harris and Tom Collins among other capable players.

Basically the photoplay is a series of episodes, all of which blend into a coherent whole. Editor Douglas, discouraged when new owner Dumbrille announces he will discontinue publishing the paper, accidentally comes into possession of a $100 bill which is identified as part of a kidnap ransom payment. Setting out on the trail of the bill to learn through whose hands it passed and thus arriving at the kidnap gang, Douglas' adventures take him through a series of circumstances the entertainment substance of which runs the gamut from comedy through melodrama and pathos to triumph. As the experiences of each who has come into possession of the bill is sharply etched to make separate and distinct featurettes, Douglas, who has established contact with Miss Platt, eyewitness to the kidnapping, is betrayed into the hands of the mobsters. Escaping them and later capturing them, he comes up with the story that forces Dumbrille, who had been involved in passage of the hot money, to continue publication of the paper.

Full of surprises and unique twists as well as intriguing situations, it can be anticipated that "Tell No Tales" will provoke and maintain audience interest.

Running time, 62 minutes. "G."* G. McC.

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*"G" denotes general classification.*

## *"Some Like It Hot"*

*(Paramount)*

HOLLYWOOD, May 14.—Here is Bob Hope, as an amusement park impresario, telling the Bob Hope brand of gag and singing, with Shirley Ross, the Bob Hope-Shirley Ross brand of song, "The Lady's in Love With You." And here is Gene Krupa, as Gene Krupa, whanging the hide off of his jazz drums whilst his orchestra whines its hot accompaniment. But here is not, save very briefly, the jitterbug dancing with which the film has been identified in preliminary comment of columnists and film editors.

Reaction of the preview crowd which saw the picture at the Paramount theatre in downtown Los Angeles was of a sort to indicate that more hot music by Grupa's outfit would have been preferred to some of the footage used in telling the story, a slim little tale about a small time showman who almost loses his girl but doesn't quite. This tale is said to derive from a play by Ben Hecht and Gene Fowler by way of a screenplay by Lewis R. Foster and Wilkie C. Mahoney.

George Archainbaud directed the picture for William C. Thomas, associate producer. Frank Loesser, Burton Lane, Gene Krupa and Remo Biondi share credits for the two songs principally employed. Una Merkel and Rufe Davis have small supporting roles.

Running time, 65 minutes. "G."* ROSCOE WILLIAMS

---

*G denotes general classification.*

## *Cole En Route East*

H. A. Cole, Allied States president, left Dallas yesterday on an eastern trip which will take him to regional conferences with state organization directors in Indianapolis, Detroit, Columbus, Baltimore and New York. While here he will attend the New York Allied convention at the Astor, May 22-25, and thereafter will go to Minneapolis for national Allied's convention, June 13-15.

## *Technicolor Meet Today*

Reelection of four Technicolor, Inc., directors whose terms expire is scheduled for the annual stockholders' meeting at 3 P. M. today at the company's office.

## *Two Exhibitors Retire*

KANSAS CITY, May 14. — Lee Sproule, who operated 12 houses in Kansas, has dropped his last two theatres, the Rex, Newton, Kans., and the Ritz at Winfield, Kans., and is taking a rest due to ill health. John C. Young has sold the Eagle at Lexington, Mo., and is retiring from exhibition.

## *Erpi Exhibition Today*

Erpi will hold an exhibition of the new Mirrophonic Master Sound System developed for the foreign distributors of Western Electric equipment, in the Yacht Room of the Hotel Astor this afternoon.

# $500,000 Suit Hits 'Gateway As Plagiarism

Suit for $500,000 against RK
Radio Pictures, Inc., Columbia Broa
casting System, Inc., Motion Pi
Producers and Distributors of A
ica, Inc., Wm. Wrigley Jr. Co., Jes
L. Lasky and Will H. Hays, over t
radio program, "Gateway to Holl
wood" was revealed Friday in t
New York Supreme Court.

John C. Carnevale, plaintiff, alleg
that he devised the scheme used
the program of inviting picture a
pirants to send in their photograp
and other information, in June, 19
and submitted it to the Hays offi
Carnevale stated he incorporated t
idea at that time as New Scre
Faces, Inc.

### H. & S. Sonn Opposes RKO Defenses in Suit

Application to the New York S
preme Court will be made today
H. & S. Sonn, Inc., to strike out t
defenses of RKO Film Booking Cor
RKO Service Corp., and White Plai
Hamilton Corp., owner of the RK
White Plains Theatre, to H. &
Sonn's suit for $200,000 damag
Suit is based on a lease made in 19
calling for 50 per cent of the prof
as part of the rental.

### Universal Is Upheld In Suit Against Tippetts

The Appellate Division of the sta
Supreme Court Friday sustained leg
sufficiency of the complaint of Ur
versal Pictures Co., Inc., in its s
for $270,000 damages and an accour
ing against John D. and Eugene
Tippett in a unanimous decision.

Suit charges the defendants with e
tering a fraudulent plan in 1927 wi
Carl Laemmle, then president of Ur
versal, to split commissions on a fiv
year contract for the sale by the d
fendants of raw stock to Universal.

### 20th Century-Fox Fights Sherwood Suit Over Title

Twentieth Century-Fox Friday fil
its answer in the Supreme Court
the suit of Robert E. Sherwood a
the Playwrights Producing Co., In
which seeks damages and an injun
tion restraining the use by Twentie
Century-Fox of the title "Young M
Lincoln" for its film.

The answer denies Sherwood's co
tention that the defendant changed t
title of its film from "The Lawyer
the West" and is attempting to mi
lead the public into believing that t
film is an adaptation of the Sherwo
play, "Abe Lincoln in Illinois."

### Delays Acting on Paramount's Plea in Blumenthal Case

Decision was reserved Friday
the Appellate Division of the Supre
Court on an application of Paramou
Pictures, Inc., for permission to a
peal to the Court of Appeals from
decision of the Appellate Divisi
which vacated an injunction restrai
ing Ben Blumenthal from suing Par
mount in England. Blumenthal's s
charges Paramount with breaching
contract to remunerate Blumenthal
the sale of Para's English theatre

# anada Faces rowding Out n Short Wave

MONTREAL, May 14.—Recent warn- by the House Radio Committee anada enter the short-wave field mediately is interpreted as a warn- that the Dominion is being wded out of the short-wave lanes other nations and that failure to e advantage of short-wave oppor- nities might result in the loss to nada of channels now registered for Dominion.

Arthur Beaubien, chairman of the use Radio Committee, has sug- ted that there be erected a power- short-wave station as soon as pos- le, to be financed as a national un- taking but to be controlled by C.

During committee sessions it was d by Chairman L. W. Brockington CBC that such a station would give nada an opportunity to advertise nadian goods. He warned that two three bands reserved for Canada ve already been taken by other na-

## ykes Heads New Division for NBC

Establishment of a new division will ce Ken R. Dykes, NBC eastern es manager, in charge of sales de- opment and research. Dykes will succeeded as eastern sales mana- by his assistant, I. E. Shower-

The new position for Dykes was ated to coordinate the promotion, earch, merchandising and statistical rk of the sales department. Under new setup Dykes will supervise following divisions that formerly orted to Roy C. Witmer, vice sident of sales: sales promotion and rchandising, statistics and sales re-

## lorida Bills Affect Broadcasts, Music

ALLAHASSEE, Fla., May 14.—Bills ling with radio stations and use of yright music have been introduced Senator John R. Beacham.

A measure would exempt station rators from liability for libelous tements during broadcasts unless it s affirmatively declared the state- nt was in the operator's behalf.

Another bill would impose a three cent tax on gross receipts on the vilege of selling performing rights copyrighted music.

## 500 Broadcasts

**Rudy Vallee will celebrate his 500th broadcast Thursday night and will present three of his most prominent discoveries — Edgar Bergen and Charlie McCarthy, and Frances Langford. Other discoveries of Vallee are Alice Faye, Joe Penner, Bob Burns and Tommy Riggs.**

## 20th-Fox Will Be Prepared for Television, Schenck Indicates

**Plans by 20th Century-Fox to participate actively in television when it reaches a commercial stage have been under way for some time, and the company will be ready for it when it arrives, it is disclosed by Joseph M. Schenck, chairman of the board.**

**The studio building plan launched by Schenck three years ago provided for television in the construction of stages and the like. The company has television broadcasting possibilities in sight when buying story properties. It has an affiliation with television through its interest in Gaumont British, which controls Baird in England.**

**Schenck believes, however, that the time when television will be competition to theatres is far off.**

# Mexico Halts New Station Licenses For Short-Wave

MEXICO CITY, May 14.—The Mexican Government has refused to grant more licenses for short-wave radio stations on the ground that Mexican channels are overcrowded and more stations would increase broadcasting difficulties. This action is seen as forecasting Mexico's eventual ratification of international radio agreements adopted at the Havana convention in 1937.

The Mexican Senate passed over ratification of the Havana pacts. It is expected that the Senate will act on this ratification before the end of this year. Mexico has also tightened regulations for amateur radio stations so that the channels shall be kept as clear as possible.

## Milwaukee Concerts Feature Radio Names

MILWAUKEE, May 14.—Second season of municipal concerts and operas here will feature a host of radio names, including concerts by Lucy Monroe, Grace Moore, Lily Pons, Jessica Dragonette, Lanny Ross, James Melton, Jean Dickenson and others. Opening festival will be June 20, with Grace Moore.

The musical festivals launched last year and broadcast by WTMJ drew 148,000 people. Don Griffin, county recreational director, engaged the artists.

## Major Marshing Sails on Vacation

Major John H. Marshing, chief of the German section of NBC's short wave division, sailed on the *Ile de France* Saturday for a month's vacation in Europe.

Marshing plans to attend reunions of his classmates at the Oberrealschule in Freiburg and tour Berlin and other German cities before returning to America in mid-June.

## Renew "Jordan" Serial

McKesson & Robbins has renewed its daytime dramatic serial, "Joyce Jordan, Girl Interne," effective May 29. Show has been heard from 9:30 to 9:45 A. M., but effective with the renewal it will be heard 15 minutes earlier, exchanging places with the Procter & Gamble series, "Manhattan Mother."

# Sill to Direct CBS Sales Promotion

CBS Radio Sales division will expand its marketing and promotion service to individual clients and has transferred Jerome Sill to the new post of director of radio sales promotion. Sill will work with managers of the 10 CBS-operated stations.

Edward S. Reynolds, as director of station advertising, will continue to produce advertising for the Radio Sales stations, both direct mail and in publications.

## New NBC Television Schedule Prepared

NBC's television schedule for Wednesday and Friday has been set, and the bills include a number of Broadway and Hollywood acts. May 17 the program will comprise Martha Sleeper in a play, "The Smart Thing;" a fashion show from the Ritz Carlton Hotel, Hal Sherman of "Hellzapoppin';" the Three Smoothies and selected film subjects. The May 19 offerings will include Grant Irwin and Anna Athy in a play, "Our Family," Clyde Hager, Ann Miller, and Bill Burns and a bird act.

## Morency President Of N.A.B. District

BOSTON, May 14.—Paul W. Morency of WTIC, Hartford, has been elected president of the First District of the National Association of Broadcasters, succeeding John Shepard, 3rd, president of the Yankee and Colonial networks, who declined to run for reelection because of lack of time. Neville Miller, president of the N.A.B., addressed the meeting on copyright problems.

## RCA Loses Appeal In Patents Action

WILMINGTON, Del., May 14.—The Delaware supreme court at Dover yesterday sustained the decision of late Chancellor J. O. Wolcott in favor of the Philadelphia Storage Battery Co., parent organization of Philco Radio and Television Corp., in action against Radio Corporation of America. The case was an appeal from the decision of Wolcott on an injunction bill filed by the Battery company seeking to enjoin RCA from terminating licensing agreement whereby the company had the right to use basic radio patents owned by RCA.

# Radio Personals

BEN POLLET, account executive at Compton, will leave New York today on a tour of western Canada, the Pacific coast and the southwest in connection with various Procter & Gamble accounts handled by his agency. . . . Tom Doughton, with Young & Rubicam for the past eight years, has joined the Compton agency as new traffic department head. . . . Dick Fishell has a new sponsor on WHN.

•

Ed Gardner, recently with Arthur Kudner, has joined Warwick & Legler as a member of the executive staff and planning board. . . . Phil Spitalny's orchestra will broadcast the "Hour of Charm" May 29 from Chicago, where the orchestra will be appearing at the Drake for a month. . . . Hildegarde will continue indefinitely on the Ripley show, but will leave the Raymond Paige program next week.

•

Perc and Wally Westmore, head makeup men for Warners, who arrived here Sunday, will make an appearance on the "Hobby Lobby" program Wednesday. . . . C. W. Farrier, NBC television coordinator, will address the meeting of the Controllers Institute of America May 17 at at the Park Central Hotel, on the present and future aspects of television. . . . Joseph Henry Jackson, NBC book critic from San Francisco, has arrived in New York and will broadcast from the east for a number of weeks.

## Air Correspondents Form Association

WASHINGTON, May 14. — Radio correspondents here who recently were granted privileges similar to the press in the Senate and House galleries, have formed the Radio Correspondents Association of Washington. First president is Fulton Lewis of Mutual. Albert L. Warner, CBS, is vice-president. Other officers are William McAndrews, NBC, secretary, and Fred Morrison, Trans Radio, treasurer.

## Broadcasters Meet

JACKSONVILLE, Fla., May 14.—The Florida Broadcasters Association and the national regional group opened the annual meeting here today with E. C. Mills as chief speaker.

## F C C Calendar

WASHINGTON, May 14.—Broadcasting hearings of the Federal Communications Commission during the current week will include, on May 15, the application of KOVC, Valley City, N. D., for change of frequency from 1,500 to 1,340 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day; May 16, application of John R. Pepper for a new 1,310-kilocycle station at Greenville, Miss., with 100 watts night, 250 watts day, and May 17, application of Nathan Frank for a 1,500-kilocycle, 100-watt station at New Bern, N. C.

# Ladeez and Gemp'men

*—today we offer you an entirely new show—*

**BUT every attraction you put on your screen is a new show for you.**

- **YOU'VE GOT TO GO AFTER THE CUSTOMER AND BRING HIM IN WITH SMART SHOW-SELLING . . . AT THAT TIME WHEN HE'S RIPE FOR SELLING.**

**The surest and most effective way to do this is with visual advertising at the point of sale . . . while he's in your place of business.**

**That brings us right up to the National Screen Trailer—**

- **THE ONLY KNOWN METHOD OF SHOW ADVERTISING WHICH GETS ALL THE CUSTOMERS EVERY TIME.**
- **THE ONLY KNOWN METHOD THAT MAKES THEM HEAR AS WELL AS SEE WHAT YOU'RE TRYING TO SELL.**
- **THE ONLY KNOWN METHOD THAT SELLS BY SAMPLES.**

**And the cost is figured in fractions of a cent per person reached, making the National Screen Trailer the cheapest seat-selling means at your command.**

**NATIONAL Screen SERVICE**

PRIZE BABY OF THE INDUSTRY

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 94 NEW YORK, TUESDAY, MAY 16, 1939 TEN CENTS

## quity Insists On Television Jurisdiction

### ctors' Guild and AFRA Opposing Move

Actors Equity yesterday presented resolution to Associated Actors and tistes of America, the parent body, manding that jurisdiction over the evision field be granted to Equity thwith. Screen Actors' Guild and American Federation of Radio tists are opposing any grant of risdiction until it can be seen in hat direction commercial television es.

Delegates to the A.A.A.A. board fused to vote on the proposition thout specific instructions from the ions they represent and the matter ain was tabled. Executive board etings of the member unions probly will be held this week. Equity its resolution pointed out that jurisction over television was specifically served in its constitution eight years o and that A.F.R.A. was denied evision jurisdiction in its charter. he S.A.G. charter is silent on this it.

Nevertheless, both S.A.G. and A.F. A. are reluctant to make an outght declaration that Equity is enled to this field, and favor a period "watchful waiting." In Hollywood, sterday, a high ranking S.A.G. offiil asserted that "assignment of juristion should be made on the basis of hich organization can best be of serce to members."

Referring to the clause in Equity's nstitution, the same official said, "It going to take more than a mere im to obtain jurisdiction." Since it possible that a major portion of ecasts may be made from film, the A.G. is not willing to yield too adily to Equity.

Encouraged by this argument by A.G., the radio artists also take the sition that the union best suited to

(Continued on page 8)

### L. B. Mayer, LL. D.

**Louis B. Mayer left New York yesterday for Frederickston, New Brunswick, where the University of New Brunswick will confer an honorary degree of Doctor of Laws upon him for contributions toward the advancement of the interests of the Province of New Brunswick.**

### Simon to Hear Film Tax Plea Thursday

**London, May 15.—Sir John Simon, British Chancellor of the Exchequer, on Thursday will receive the joint film deputation, headed by D. E. Griffiths, protesting the new film taxes. The Chancellor's response to the industry's petition was received today.**

**The committee named to draft the industry case will meet Wednesday, and the Simon delegation at the K. R. S. offices Thursday morning.**

## Columbia to Have $2,000,000 Budget For '39-'40 Shorts

Chicago, May 15.—Columbia has set a $2,000,000 production budget for its new season short subject schedule, Max Weisfeldt, short subjects sales supervisior, today told midwestern and Canadian delegates at the second of three regional sales meetings.

The session will end tomorrow, and will be followed by a final meeting in Los Angeles.

Operation of the industry trade practice code, banning full-line forcing, will place the sale of shorts on a quality and competitive basis, it was pointed out.

# TRADE CODE READY IN AUGUST, BELIEF

## Goldwyn Seeking To Change Name Of U.A. Studios

Hollywood, May 15.—Samuel Goldwyn today filed an application with the Secretary of State at Sacramento to change the name of United Artists Studios to Samuel Goldwyn Studios. Mary Pickford and Douglas Fairbanks own the land on which the studio is located, although it is leased to Goldwyn, who has been sole owner since 1935 of all the buildings and equipment on the property.

Goldwyn's action, believed to be a tactical move in connection with his breach of contract suit against the company, has nothing to do with the United Artists distributing company.

Walter Wanger is the only U. A. producer besides Goldwyn now using the studio. Hal Roach has his own plant, likewise David Selznick, at whose studio Fairbanks is to produce. Edward Small uses the General Service studios. It is understood that Alexander Korda and David L. Loew will also produce there.

### Distributors Ironing Out Arbitration Procedure At Meetings Here

Industry's trade practice code is scheduled to go into effect in August, by which time it is expected all points will have been clarified between distributors and exhibitors.

The distributors' trade practice committee, including sales manager and counsel, held an all-day meeting yesterday at the Astor, with revision of arbitration procedure the main topic. At least two more meetings of the committee will be necessary before the proposals are in shape for submission to exhibitors. The next meeting is scheduled tomorrow.

The committee is rewriting the arbitration provisions contained in the code as submitted March 30. At that time William F. Rodgers, M-G-M sales chief, acting for the committee, declared that the provisions were only a starting point and elaboration will be needed. Suggestions of exhibitor groups are being considered.

The meetings this week are expected to clarify each company's position on arbitration and simplify the work on phraseology to be done by lawyers. This pertains to the practical phases, the principles having been agreed upon.

Other points, such as reallocations, designations and cancellation, are also under discussion by the committee.

Upon completion of the revisions,

(Continued on page 9)

### Pickets at Warner And RKO Theatres

**Bookkeepers, Stenographers & Accountants Union placed picket lines in front of the Strand, the Hollywood, Warner home office and warehouse yesterday. Union officials said picket lines would be placed today before 16 RKO houses and the Brooklyn Paramount because they are showing Warner films. Strike was declared at the shipping department of the Warner warehouse. The union claims jurisdiction over about 10 employes there. Strike was called because of failure to reinstate two union members Warner officials denied t employes were dismissed union activities.**

## "Goodbye, Mr. Chips"

[*M-G-M*]

The crusty British schoolmaster, Mr. Chips, together with his little jokes and foibles, has been brought to life by M-G-M in as tender, sentimental and heart-touching a portrayal as has flickered across the screen in many a day. The hundreds of thousands who laughed and wept with Mr. Chips when he first appeared on the American scene in the best selling novel by James Hilton will find this salty old character faithfully transcribed and as lovable as ever.

"Goodbye, Mr. Chips" derives its dramatic quality from the inherent human tenseness which may be found in the life of a man who has achieved his simple ambitions and has died happy in the thought that he has endeared himself to generations of British schoolboys. It is a simple character study. In sharp contrast to the current cycle of outdoor action melodramas, it will come as a welcome and stimulating change.

The story is made up of a series of episodes in the life of a teacher who taught his first class during the Franco-Prussian War and rose to headmaster in the midst of the World War. Each episode uncovers another facet of his character, each scene adds a little flavor, until, at the end, a warmly human personality has been revealed.

Chips is a lonely, harsh schoolmaster when he first arrives at Brookfield, English preparatory school, scarcely cognizant of the human elements which make a successful teacher. In middle age, he meets Katherine (Greer Garson) whom he marries, but she dies in childbirth shortly afterward. It is in these sequences that the picture reaches its peak of

(Continued on page 8)

# Purely Personal

ADOLPH ZUKOR, **Barney Balaban**, **Major Albert Warner**, **J. Robert Rubin** and **Ned E. Depinet** lunching at Nick's Hunting room at the Astor yesterday. Among others were **Arthur Rapf**, **William Brandt**, **Joe Katsch**, **Sam Rinzler**, **Ed Auger**, **Joe Hornstein**, **Leo Justin**, **Morris Kinzler**, **Harold Franklin**, **Harry Goetz**, **Max A. Cohen**, **Harry G. Kosch**, **Adolph Haas**, **Ansell C. Knowles**.

●

**James Mulvey** and **Arthur Kelly** of United Artists arrived in New York yesterday by train after attending the company's annual sales convention in Hollywood last week. Other company executives are expected back during the next few days.

●

**George Schaefer**, **Joe Moskowitz**, **Oscar Doob**, **Edward A. Golden**, **W. Ray Johnston**, **Gus Eyssell**, **Joe Pincus**, at **Bob Goldstein**'s Tavern for lunch yesterday.

●

**Theodore G. Ehrsan**, manager of the Huntington, Century house at Huntington, L. I., was the first prize winner in the General Electric "Letters Home from the World's Fair" contest.

●

**H. W. Dudley** will read a paper before the Acoustical Society of America following demonstration of a new speech instrument by Bell Telephone Laboratories at the Pennsylvania today.

●

**John Aalberg**, RKO studio sound director, will represent the Research Council of the Academy on the "Sectional Committee on Motion Pictures" of the American Standards Association.

●

**Perc Westmore**, Warners makeup chief at the studio, was host, with the House of Westmore, at a cocktail party in the Rainbow Room yesterday afternoon.

●

**Ben Goetz**, head of M-G-M British production, will leave Hollywood today for New York and London. **Victor Saville**, producer, will remain on the coast for several weeks.

●

**Bob Snyder**, special sales representative for J. H. Hoffberg Co., left yesterday on a two-month sales trip upstate and to Chicago.

●

**Maxwell Shane**, screen writer, arrives in New York from the coast this week to arrange for the production of "Willis Does a Strip."

●

**S. Barret McCormick**, RKO advertising and publicity director, returns to New York today from a business trip to Chicago.

●

**Louis Hayward** and **Ida Lupino** arrived in New York on the 20th Century Limited from the coast yesterday.

●

**Edwin P. Kilroe** of 20th Century-Fox left New York yesterday on a one-week business trip.

●

**Paul Benjamin** returned to his desk yesterday after a three-week absence due to illness.

●

**Leopold Friedman**, Loew's general attorney, returned to his desk yesterday from an extended vacation in Honolulu and on the coast.

●

**Irwin Zeltner** and **Louis D. Straus** have merged their publicity offices under the name of Zeltner and Straus.

●

**Herb Morgan**, M-G-M shorts publicity head, returns today from Detroit.

●

**Jim Fay**, brother of **Ed Fay** of Providence, is slowly recuperating after a long illness.

# New York Preview

## "The Mikado"

*(Universal)*

The producers of this first screen version of Gilbert and Sullivan's "The Mikado" have fashioned a splendid entertainment offering, not only for devotees of Gilbert and Sullivan but for film audiences. Adapted with fine discernment, skillfully directed, with an outstanding chorus and orchestra assisting a splendid cast, and produced in color, all of the fine melody and comedy which have endeared the work to millions are present in its translation to the screen.

The exhibitor, however, is confronted with the problem of selling the screen "Mikado" to those patrons to whom the names of Gilbert and Sullivan and the title mean little or nothing. There are ready-made audiences everywhere for a Gilbert and Sullivan offering, and they are large numerically. The task will be to sell those who are unfamiliar with the work and, as Universal suggests, frequent reference to its songs, which are known to many who do not know the story of "The Mikado," may be the best approach.

Kenny Baker, in the role of Nanki-Poo, son of the Mikado, is best known to American audiences. The comic adventures which permit him to escape the detested Katisha, to whom he has been promised by the Mikado, and to marry Yum-Yum, whom he loves, are depicted with all the eye and ear-pleasing properties in the very best Gilbert and Sullivan tradition. Once lured inside the theatre, none who see and hear it should be disappointed. They will probably go out to sing its praises to others. It should find support among many individuals and groups not habitual film patrons and, in pleasing these as it is bound to do, it may be classified with those select, occasional films which, departing from well-trodden cinematic paths, tap new sources of patronage.

Individual performances are uniformly good. Particularly deserving of mention is Martyn Green as Ko-Ko; Jean Colin as Yum-Yum; John Barclay as the Mikado; Sydney Granville as the Pooh-Bah; Constance Willis as Katisha, and Baker. Victor Schertzinger's direction is everything it should be. Geoffrey Toye adapted, conducted and produced. The London Symphony Orchestra and the chorus of the D'Oyly Carte Opera Company contribute to the production's music. Sets and costumes are lavish and colorful, achieving rich pictorial effects. Camera and sound work are excellent and, by way of reporting, it may be said that there is no noticeable accent on the part of the English players to confuse the American ear.

Running time, 90 minutes. "G."* SHERWIN A. KANE

---

*"G" denotes general classification.*

## Para. Golf Tourney Set

Paramount will hold its 12th annual company golf tournament May 18 at Adolph Zukor's golf course in New City, N. Y. About 50 company officials will participate in the tournament.

## Warner Outing June 21

Members of the Warner Club will hold their annual outing June 21 at Bear Mountain. Outing will include a boatride, dancing, games and contests.

## RKO Fair Visitors

Alfred E. Grosz, Cortez Theatre, New Orleans, registered yesterday at RKO's World Fair headquarters. Others were Sidney Samuelson, Newton, N. J.; J. D. Lee, Capitol Theatre, Frankfort, Ky.; Harry Arthur, Fanchon & Marco head in St. Louis; J. McGowan, Plymouth Theatre, Worcester, Mass.

## Sail on Normandie

Maurice Wilson, joint managing director of Grand National in England, and Mrs. Wilson sail on the *Normandie* tonight. Others scheduled to sail are John Ojerholm of Paramount, Henri Bernstein, French playwright, and Jan Kiepura and Marta Eggerth.

## Technicolor Reelects

Four Technicolor board members were reelected yesterday at the annual stockholders' meeting. They are John McHugh, George F. Lewis, Murray D. Welch and Robert Cushman. Lewis presided at the meeting.

## Delay B-K Hearing

CHICAGO, May 15.—The independent exhibitors' anti-trust suit against the Balaban and Katz circuit has been delayed until Wednesday.

# Program Finished For Allied Meetin

Schedule of New York Allied World's Fair convention and equi ment exposition, May 23 to 25 at t Astor, follows:

Tuesday, May 23—Registratio Eastern regional conference; op meeting, appointment of resolutio committee, election of delegates to tional convention, general busi evening, attendance at Broadway fi run theatres.

Wednesday, May 24—Open meetin addresses by Col. H. A. Cole, Alli States president, and Abram F. Mye general counsel; report by grievan committee; resolutions committee r port; discussion on insurance eco omy; matinee theatre party for t ladies at "The American Way"; vi to World's Fair at night.

Thursday, May 25—Open forum 2 P. M., open to all, with self reg lation as the general topic; cockt party, followed by first annual dinn and dancing; matinee for the ladies "Kiss the Boys Goodbye."

# Managers Strike At Bronx House

First strike here by the Theatric Managers, Agents and Treasure Union in its campaign to organize fil theatre managers was called yeste day at the Vogue, operated by M Rosenberg in the Bronx.

Picketing started last night and scheduled to be extended today to t Metro and Congress, two other R senberg houses in the Bronx.

The union said the strike was call after two of its members, Abraha Ludacer and Maurice Bliss, man gers of the Vogue and Metro, respe tively, were discharged Sunday f union activity. The T. M. A. T. pla to file a formal complaint with t State Labor Relations Board for r instatement and back wages.

## Moulan Rites Today

Funeral services are to be held noon today for Frank Moulan, ope etta star who died Saturday. Moulan screen career included work in "T Girl Said No" in 1937.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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# Figures

Latest figures on **"ROSE OF WASHINGTON SQUARE"** reveal top-of-the-town business everywhere!

Pushing long-time records in **SAN FRANCISCO** . . . **KANSAS CITY** (within $4.00 of "Ragtime Band" at the Uptown) . . . **SALT LAKE CITY** . . . **CHARLOTTE** (right up with "Kentucky"!) . . . **PROVIDENCE** . . . **BALTIMORE** (socko in holdover week!) . . . **RICHMOND** . . . **TULSA** . . . **NEW YORK** (2nd week terrific!)

Another great 20th hit that pays off showmanship in smash business and long runs!

# ROSE OF WASHINGTON SQUARE

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

# Reviewing the Latest in Short Subjects

### "Aladdin and His Wonderful Lamp"

*(Fleischer-Paramount)*

Based on the fairy tale of the same name, this two-reel Popeye color cartoon will be the delight of children and adults alike. With the exception of a prologue which shows Olive Oyl working as a Hollywood script writer, the remainder of the cartoon is a faithful transcription of the story. Popeye is Aladdin who rescues the princess Olive Oyl. A sure fire hit with any audience. Running time, 22 mins. "G."*

### "Tiny Troubles"

*(M-G-M)*

"Our Gang" runs into trouble when it tries to exchange babies. Deciding that Alfalfa's little brother cries too much, they exchange the baby for one found in the park. The second baby, however, turns out to be a criminal midget who poses as a baby. The boys are very much relieved when the original is returned. The mixup develops some really funny spots. Running time, 10 mins "G"*

### "Muscle Maulers"

*(20th Century-Fox)*

Here is a hilarious short on wrestling which should provoke howls from the toughest audiences. Lew Lehr's commentary catches the spirit of this daffy sport and the sound effects help, too. Most of the reel presents straight shots taken at New York arenas and it ends with a female bout, several free-for-alls, and one fight in a mud pit. It should please. Running time, 11 mins. "G."*

### "Nellie of the Circus"

*(Universal)*

This Walter Lantz Cartune is a gay satire of the old time "heavy mellerdrama." Big Dan and his childhood sweetheart, Nellie, are playing together. Suddenly, a circus talent scout, a villain with a black mustache, seizes Nellie and takes her off to the circus. It all ends happily, however, when our hero tracks them down and rescues Nell. Running time, 7 mins. "G."*

### "While America Sleeps"

*(M-G-M)*

Latest in the series of "Crime Does Not Pay" series deals with the activities of foreign spies in this country. The action takes place in an airplane factory, where a mechanic is induced by small bribes to take pictures of blueprints for a spy ring. The G-men move in and arrest the mechanic as well as the spies. Lots of action. Running time, 21 mins. "G."*

### "Unusual Occupations, L8-5"

*(Paramount)*

Ben Bernie, Lanny Ross, Jessica Dragonette, Guy Lombardo and Jean Parker appear in this reel. Unusual occupations shown are girls psychoanalyzing casual pencil scrawls, a skeleton assembler, a town crier and a sculptor who specializes in the hands of famous people. Jean Parker is shown at home designing and modeling her own clothes. In color, this reel should be easy to sell at the box-office and makes a worthwhile addition to the program. Running time, 11 mins. "G."*

### "Moving Vanities"

*(RKO)*

Leon Errol, that ever popular comedian, takes the lead in this laugh provoker. Rather than pay an increased rent, Errol starts moving the family furniture from house to house. After being disappointed in one place, swindled in another and arrested in a third, he wakes up to find that his furniture is on a railroad track with a locomotive headed his way. Amusement for any type of audience. Running time, 17 mins. "G."*

### 'Three Kings and a Queen'

*(Paramount)*

A musical short, this presents Barry Wood, Dick Todd and Del Casino, all known to network audiences, and Betty Hutton, the jitterbug songstress, backed by musical support of the Vincent Lopez orchestra. It's a run-of-the-mine subject, with the crooners mooing the usual love ballads, and Miss Hutton "sending" a typical jitterburg version of jitterburg tune. Running time, 11 mins. "G."*

### "Mystic Siam"

*(20th Century-Fox)*

Movietone's Magic Carpet takes a trip through Siam and gives the reel a timely slant by introducing the problem of Japan's efforts to dominate the Orient. In several shots of the temples, an interesting glimpse of the training of dancing girls is given. Also shown are elephants at work, tropic waterways and market places during holidays. Lowell Thomas is commentator. Running time, 10 mins. "G."*

### "Pharmacy Frolics"

*(Universal)*

Six variety acts make up this Mentone Brevity. Set near a drug store fountain, the continuity is weak although the acts are good. Seen are the Three Playboys, Frazee Sisters, Emerson's Mountaineers, Gilrone & Starr, Richard & Carson, and Dave Monahan. A pleasant musical interlude. Running time, 18 mins. "G."*

### "Leave Well Enough Alone"

*(Fleischer-Paramount)*

Popeye, in black and white, lets his emotions master his judgment. Seeing a number of dogs caged in a pet shop owned by Olive Oyl, he purchases all of them and sets them loose. One wise old parrot refuses to leave the comfortable quarters. Soon all the dogs are rounded up by the dog catcher and Popeye barely rescues them from the pound. It should amuse the youngsters. Running time, 7 mins "G."*

### "Their Last Bean"

*(20th Century-Fox)*

This Terrytoon is a gay burlesque on fox hunts. The foxes have nothing to feed their family and the last meal is destroyed in the rush to get away from the hunters. Little Willie Fox, however, sneaks down to the Hunt Club, and after leading the hounds and riders a merry chase, succeeds in capturing their banquet. Running time, 7 mins. "G."*

### "Somewhat Secret"

*(M-G-M)*

The secret in this one is why a lively little musical swing number was complicated with a cumbersome and involved plot. The music, however, is fast and pleasant. Set in a girls' finishing school, the story tells of a dean who refuses to permit the girls to listen to swing. When she falls in love with a disguised chemistry professor, who is really a swing pianist, she changes her mind about jitterbug music. Running time, 21 mins. "G."*

### "Stranger Than Fiction No. 62"

*(Universal)*

A well balanced reel containing six oddities. A radio engineer who makes a hobby of miniature working models, a trick horse, a sculptor who is producing rare examples of primitive art, a new breed of small mules, road making in Holland, and "androides," small figures which move and act like humans. Worthwhile. Running time, 10 mins. "G."*

### "The Story of Dr. Jenner"

*(M-G-M)*

This reel deals with the discovery of the method of preventing small pox. Starting with the plagues that swept Europe, the story continues with the discovery of vaccination and the early opposition to its use. Dr. Jenner finally demonstrates its feasibility by injecting the small pox germ into a boy. The story will command interest. Running time, 10 mins. "G."*

### "Paramount Pictorial, P8-9"

*(Paramount)*

Here is an unusually well-balanced Pictorial. Covered are three subjects, the New London Academy of the Coast Guard, an illustration of what lines an average woman should choose in dressing, and an underwater view of ducks swimming on the surface. The ladies will enjoy the fashions and the men will like the Coast Guard. Running time, 10 mins. "G."*

### "The Little Goldfish"

*(M-G-M)*

A goldfish decides to leave the security of the goldfish bowl for the more adventurous high seas. He escapes via drainpipe but encounters enough dangers to make him return home. The cartoon is done in color and some excellent effects are obtained with the contrasting hues of tropical fish. Running time, 8 mins. "G."*

### "Arcade Varieties"

*(Nu-Atlas-RKO)*

Five fairly good acts put together for a variety number. East & Dumke known on the radio as Sisters of the Skillet, Lillian Roth, Frazee Sist[illegible] Gilrone & Starr and the Six [illegible] harmonicas make up a well rounded reel. Continuity is provided by the proprietor of a penny arcade inspecting a new machine. A better than average musical. Running time, 11 mins "G."*

### "Good Skates"

*(Paramount)*

Skating on ice is the subject of this Grantland Rice Sportlight. All forms of skating are shown, ice hockey, speed skating, dancing and figure skating are included. This reel has no particular timeliness except to cool off the patrons on a hot day There are some interesting explanations of how the more complicated figures are executed on skates. Running time, 10 mins. "G."*

### "Weather Wizards"

*(M-G-M)*

The workings of the weather bureau are graphically portrayed in this story of the California fruit groves. Tying the weather forecasts to the daily life of the farmers, the reel shows how the first signs of frost are detected, the warnings sent and the smudge pots lighted. It captures the tense situation with telling effect. Worthwhile Running time, 9 mins. 'G."*

### "America Takes to Skis"

*(Universal)*

A ski subject which takes in all aspects of the sport. Included are general views of the action, how skis are made, and instruction in the more difficult phase of the art. An unusual treatment of a familiar subject. Running time, 9 mins. "G."*

### "Television"

*(RKO)*

RKO Pathe provides a backstage glimpse of the new art, television Production methods, technical difficulties and a view of what television will be in the home, are shown. A timely subject. Running time, 9 mins. "G."*

### "The Hunting Dog"

*(20th Century-Fox)*

Ed Thorgersen describes the raising and training of hunting dogs in the south. How these intelligent animals are taught to stalk quail and retrieve the game is shown, and should hold audience interest. Running time, 1 mins. "G."*

### "Marine Circus"

*(M-G-M)*

Underwater shots of a submarine aquarium feature a number of deep sea fish in a natural setting. Highlights are feedings and a wrestling bout between a diver and some large fish. Running time, 9 mins. "G."

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*"G" denotes general classification

# AN

# ADVERTISEMENT

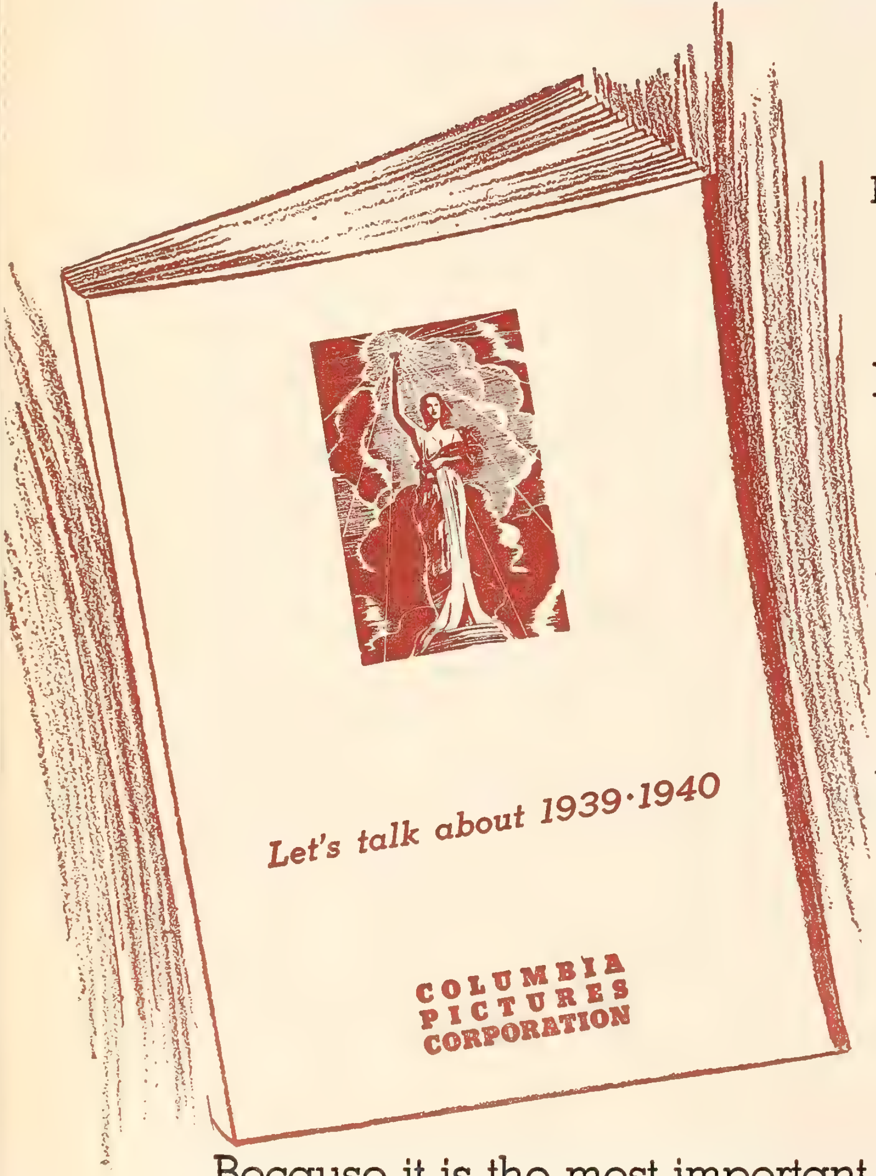
# ABOUT

# A

# PRODUCT

# ANNOUNCEMENT

● **SHORTLY** Columbia Pictures will issue its product announcement for 1939-1940. This announcement has been prepared with great care because in its ultimate effect we wanted to be certain that it was primarily FACTUAL . . . simple . . . direct . . . sincere.


Let's talk about 1939·1940
COLUMBIA
PICTURES
CORPORATION

Because it is the most important announcement exhibitor-wise that Columbia has ever made covering any single year's product, we urge you to examine it very closely.

PRINTED IN U.S.A.

# 'Pacific' Is Boston Smash With $26,500

Boston, May 15.—"Union Pacific," coupled with "Winner Take All" at [illegible] Metropolitan took a strong $26,[illegible]0. "The Story of Alexander Graham Bell" and "Return of the Cisco Kid," dualing at Keith Memorial, drew $22,600. Takings for week ending May 10:

**"Society Smugglers" (Univ.) (4 days with vaude.)**
**"Boy Slaves" (RKO) (4 days with vaude.)**
**"Wife, Husband and Friend" (20th-Fox) (3 days)**
**"Saint Strikes Back" (RKO) (3 days)**
RKO KEITH BOSTON—(3,000) (20c-30c-40c) Gross: $8,200. (Average, $8,500)

**"The Story of Alexander Graham Bell" (20th-Fox)**
**"Return of the Cisco Kid" (20th-Fox)**
KEITH MEMORIAL (2,790) (25c-35c-40c-55c) 7 days. Gross: $22,600. (Average, $15,000)

**"Hotel Imperial" (Para.)**
**"On Trial" (W.B.)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $6,300. (Average, $8,500)

**"Hotel Imperial" (Para.)**
**"On Trial" (W.B.)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $4,100. (Average, $5,500)

**"Union Pacific" (Para.)**
**"Winner Take All" (20th-Fox)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $26,500. (Average, $14,500)

**"Ice Follies of 1939" (M-G-M)**
**"Sergeant Madden" (M-G-M)**
LOEW'S ORPHEUM—(2,907) (25c-35c-40c-55c) 7 days. Gross: $15,400. (Average, $14,500)

**"Ice Follies of 1939" (M-G-M)**
**"Sergeant Madden" (M-G-M)**
LOEW'S STATE—(3,537) (25c-35c-40c-55c) 7 days. Gross: $12,200. (Average, $10,500)

**"Dodge City" (W.B.)**
**"Mystery of Mr. Wong" (Para.)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $6,600. (Average, $5,500)

# 'Pacific' at $6,800 In Oklahoma City

Oklahoma City, May 15.—"Union Pacific" led the field here, with $6,800 at the Criterion. "Man of Conquest" was strong with $4,000 at the State.

Estimated takings for the week ending May 11:

**"Union Pacific" (Para.)**
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $6,800. (Average, $5,500)

**"Never Say Die" (Para.)**
**"Tom Sawyer, Detective" (Para.)**
LIBERTY—(1,200) (20c-25c) 4 days. Gross: $2,100. (Average, $1,800)

**"The Saint Strikes Back" (RKO)**
**"Almost A Gentleman" (RKO)**
LIBERTY—(1,200) (20c-25c) 3 days. Gross: $700. (Average, $700)

**"Broadway Serenade" (M-G-M)**
MIDWEST—(1,500) (25c-35c-40c) 5 days. Gross: $2,400. (Average, $4,500)

**"Love Affair" (RKO)**
PLAZA—(750) (25c-35c-40c) 2nd week, 7 days. Gross: $1,870. (Average, $1,700)

**"Man of Conquest" (Rep.)**
STATE—(1,100) (20c-25c-40c) 7 days. Gross: $4,000. (Average, $3,000)

**"Three Smart Girls Grow Up" (Univ.)**
TOWER—(1,000) (25c-35c-40c) 7 days. 2nd week. Gross: $2,375. (Average, $2,500)

## Films Council Elects

Wilmington, May 15.—Mrs. George E. Cox has been elected president of the Wilmington Better Films Council. Other officers are: First vice-president, Mrs. George A. Pedrick; second vice-president, Mrs. Wilmot R. Jones; recording secretary, Mrs. George C. Stradley; corresponding secretary, Mrs. David B. Coxe; treasurer, Mrs. James K. Stack.

# Hollywood Preview

## "The Gracie Allen Murder Case"

*(Paramount)*

Hollywood, May 15.—If the shade of the late S. S. Van Dine looked in upon the preview of this preposterously funny picture he had a grand laugh and left feeling happy about the whole thing. Everybody present did. The bare idea, expressed in the title, is almost too funny for soberly sensible consideration, but it is even funnier than that as expressed in the film by Gracie Allen, Warren William, Ken Taylor, Jed Prouty, Donald MacBride, Ellen Drew, H. B. Warner and a long list of associates. To producer George Arthur, director Alfred E. Green and screen playwright Nat Perrin for a murder comedy as hilarious as "The Thin Man," without in any way resembling it, the screen and its showmen owe a neat debt.

Miss Allen, playing herself as a dumb dame dashing in and out of a murder mystery to the complete confusion of crooks and detectives alike, is incredibly amusing. The story, in which two murders are committed and solved, is as adroitly contrived as any of the Van Dine mysteries and, treated seriously, would rank with the best of them. Treated humorously, it ranks above the others. If the author had lived, it seems certain that he'd have found it congenial to write a series of Gracie Allen Murder Mysteries through which the star would "blunder" on to new cinema fame. Since he didn't, it is to be hoped that Perrin or someone else around the Paramount lot will carry on in the tradition, for this film brings a new and delightfully diverting type of comedy into a market that needs plenty of new material in the light vein.

Miss Allen's lines are characteristic but her gags are new. She sings "Snug As a Bug in a Rug," by Matty Malneck and Frank Loesser, in a manner that moved the preview audience to prolonged applause. She is riotous in a purely slapstick sequence. She and the picture are altogether tremendous, soundly satisfying, in a word, sensational.

Running time, 60 minutes. "G."* Roscoe Williams

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*"G" denotes general classification.*

## 'Wuthering' Draws $14,000, Cincinnati

Cincinnati, May 15.—"Wuthering Heights" was in the high bracket with a $14,000 take at the RKO Albee. "Confessions of a Nazi Spy" pulled a strong $11,500 for six days at the RKO Palace.

Estimated takings for the week ending May 10-13:

**"Wuthering Heights" (U. A.)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $14,000. (Average, $12,000)

**"Confessions of a Nazi Spy" (W. B.)**
RKO PALACE—(2,700) (35c-42c) 6 days. Gross: $11,500. (Average, 7 days, $10,000)

**"Calling Dr. Kildare" (M-G-M)**
RKO SHUBERT—(2,150) (35c-42c) 7 days. Gross: $7,000. (Average, $10,000)

**"Mutiny on the Bounty" (M-G-M)**
RKO CAPITOL—(2,000) (35c-42c) 7 days. Gross: $3,300. (Average, $6,500)

**"Never Say Die" (Para.)**
RKO LYRIC—(1,400) (35c-42c) 7 days. Gross: $4,000. (Average, $5,000)

**"East Side of Heaven" (Univ.)**
RKO GRAND—(1,200) (25c-40c) 7 days, 3rd week. Gross: $3,100. (Average, $6,500)

**"The Saint Strikes Back" (RKO)**
**"Star Reporter" (Mono.)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,250. (Average, $1,500)

**"First Offense" (Col.)**
**"Blue Mountain Skies" (Repub.)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $850. (Average, $900)

**"You Can't Get Away With Murder" (W. B.)**
KEITH'S—(9,00) (30c-40c) 7 days. Gross: $3,800. (Average, $6,000)

## To Use Stage Shows

Cincinnati, May 15.—The 3,300 séat RKO Albee, playing straight films, will play intermittent stage shows beginning May 26, when Benny Goodman and his orchestra are booked. The RKO Shubert, 2,150-seat house, which recently discontinued stage shows in favor of pictures, will resume the combination policy Sept. 1.

## 'Victory' Is $16,000 Draw at Cleveland

Cleveland, May 15.—"Dark Victory" at Warners' Hippodrome took $16,000. "Union Pacific" at Loew's State drew a strong $12,000.

Estimated takings for the week ending May 12:

**"Three Smart Girls Grow Up" (Univ.)**
ALLEN—(3,000) (30c-35c-42c) 7 days. 2nd week. Gross: $3,500. (Average, $4,000)

**"Dark Victory" (W. B.)**
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $16,000. (Average, $12,000)

**"Blondie Meets the Boss" (Col.)**
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage: Mikado in Swing. Gross: $15,000. (Average, $15,000)

**"Union Pacific" (Para.)**
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)

**"Wuthering Heights" (U. A.)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 2nd week. Gross: $3,750. (Average, $5,000)

**"Tales from the Vienna Woods" (Modal Film)**
CITY—(485) (35c-42c) 7 days. Gross: $700. (Average, $900)

## 'Graham Bell' Draws $8,900 Omaha Lead

Omaha, May 15.—"The Story of Alexander Graham Bell" and "Ambush" at the Orpheum set a good pace, with $8,900. "Union Pacific" held strong in the second week at the Omaha, taking $8,600. Takes for the week ending May 10-11:

**"Confessions of a Nazi Spy" (W. B)**
**"The Lady and the Mob" (Col.)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,300. (Average, $4,000)

**"Union Pacific" (Para.)**
OMAHA—(2,200) (25c-40c) 7 days, 2nd week. Gross: $8,600. (Average, $6,000)

**"The Story of Alexander Graham Bell" (20th-Fox)**
**"Ambush" (Para.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $8,900. (Average, $7,600)

# 'Pacific' Hits $7,000 Lead In Milwaukee

Milwaukee, May 15.—Week's best grossing films were "Union Pacific" and "Sudden Money," with $7,000 at Fox's Palace and 'Lucky Night" and "Streets of New York," at Fox's Wisconsin with $7,200.

Estimated takings for the week ending May 9-12:

**"Love Affair" (RKO)**
**"Prison Without Bars" (U. A.)**
WARNER—(2,400) (35c-50c) 5 days. Gross: $2,300. (Average, $4,500)

**"Hardys Ride High" (M-G-M)**
**"Society Lawyer" (M-G-M)**
STRAND—(1,400) (35c-50c) 5 days. Gross: $1,100. (Average, $2,000)

**"Union Pacific" (Para.)**
**"Sudden Money" (Para.)**
PALACE—(2,400) (35c-50c) 7 days. Gross: $7,000. (Average, $4,000)

**"I Was A Convict" (Rep.)**
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Major Bowes' New York World Fair Revue. Gross: $6,500. (Average, $6,500)

**"Lucky Night" (M-G-M)**
**"Streets of New York" (Mono.)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $7,200. (Average, $5,500)

# 'Hardy's' $18,000 Pittsburgh Gross

Pittsburgh, May 15.—"The Hardys Ride High" paced the field with $18,000 at Loew's Penn. The Stanley took $14,000 with "Confessions of a Nazi Spy."

Estimated takings for the week ending May 11:

**"Man of Conquest" (Rep.)**
ALVIN—(1,900) (25c-35c-50c) 8 days. Gross: $6,500. (Average, 7 days, $7,000)

**"Return of the Cisco Kid" (20th-Fox)**
FULTON—(1,700) (25c-40c) 7 days. Gross: $4,200. (Average, $5,000)

**"The Hardys Ride High" (M-G-M)**
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $18,000. (Average, $15,000)

**"Story of Alexander Graham Bell" (20th-Fox)**
SENATOR—(2,000) (25c-40c) 3rd week, 10 days. Gross: $4,200. (Average, 7 days, $3,800)

**"Lady and the Mob" (Col.)**
**"Inside Story" (20th-Fox)**
SENATOR—(2,000) (25c-40c) 4 days. Gross: $1,000. (Average, 7 days, $3,800)

**"Confessions of a Nazi Spy" (W. B.)**
STANLEY—(3,600) (25c-35c-50c) 7 days. Gross: $14,000. (Average, with vaudeville, $17,000)

**"Sudden Money" (Para.)**
**"Crowded Hours" (RKO)**
WARNER—(2,000) (25c-40c) 7 days. Gross: $3,200. (Average, $4,500)

## 'Nazi Spy' Garners $5,800 in New Haven

New Haven, May 15.—"Confessions of a Nazi Spy" and "The Family Next Door" took $5,800 at the Roger Sherman. Second week of "The Hardys Ride High" and "Within the Law" at the College took $2,400.

Estimated takings for the week ending May 12:

**"The Hardys Ride High" (M-G-M)**
**"Within the Law" (M-G-M)**
COLLEGE—(1,499) (35c-50c) 7 days. 2nd week. Gross: $2,400. (Average, $2,700)

**"The Story of Alexander Graham Bell" (20th-Fox)**
**"Let Freedom Ring" (M-G-M)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $7,500. (Average, $8,000)

**"The Lady's From Kentucky" (Para.)**
**"Back Door to Heaven" (Para.)**
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $2,600. (Average, $4,000)

**"Confessions of a Nazi Spy" (F. N.)**
**"The Family Next Door" (Univ.)**
ROGER SHERMAN—(2,200) (35c-50c) 6½ days. Gross: $5,800. (Average, $4,700)

# Equity Insists On Television Control

(Continued from page 1)

service the field should be permitted to dominate it. A.F.R.A.'s request for further delay to study the problem may also be based on considerations which entered its recent negotiations with the networks. It is understood that when A.F.R.A. obtained its contracts it was done with the tacit agreement not to make any demands in the television field for some years.

Equity, on the other hand, contends that it was the first union in the actor's field and that both S.A.G. and A.F.R.A. were organized through its efforts. Equity is prepared to make needed revisions in its own organization in order to meet the television situation.

All officers of the A.A.A.A. were reelected for two-year terms yesterday. They are Frank Gillmore, president; Jean Greenfield, Hebrew Actors, first vice-president; Kenneth Thomson, S.A.G., second vice-president; Leo Fischer, Musical Artists, treasurer; and Paul Dullzell, Equity, executive secretary.

## *Committee Debates Boycott in Mexico*

Mexico City, May 15.—Local civic governments are acting to end the boycott against the Rodriguez circuit by the Federation of Cinematographic Workers.

The governments have brought the opposing parties togther and a committee has been named to settle the dispute. Sam Seidelman, U. A. supervisor of Mexico and Central America, is on the committee which is to report Wednesday.

## *Notarius Moves*

Hollywood, May 15.—Louis Notarius, associated with Paramount Theatre operations for the last 15 years, today transferred his headquarters from New York to Hollywood to work as liaison officer between production officials and exhibitors and distributors.

## *Shapiro Resigns*

Hollywood, May 15.—Victor M. Shapiro, publicity director for Selznick International, today resigned to return to an executive position with Baer Laboratories in which he has partnership.

# *New York Preview*

## *"Goodbye, Mr. Chips"*

[*Continued from Page* 1]

quiet humor, tenderness and pathos. Chips learns from Katherine the qualities of mercy and fun and it is then that the disliked Mr. Chippings becomes the beloved Chips to colleagues and students alike. His subsequent growth into a Brookfield tradition and his ultimate death are shown in a manner likely to leave few dry eyes among the toughest of audiences.

Robert Donat's performance is one that long will be remembered and the role is one that permits the full exercise of his splendid talents. Both as the young man and as the aging Mr. Chips, Donat gives the part a fulsome, warming treatment. To Miss Garson and to young Terry Kilburn (who portrays four successive generations of schoolboys) must also go credit for outstanding performances. Credit, indeed, must go to the entire cast for supporting so ably a story which relies completely on the ability of its actors.

Sam Wood, who directed, has caught the spirit of English prep school life and translated it with rare understanding. R. C. Sherriff, Claudine West and Eric Maschwitz wrote the screenplay and Victor Saville was the producer. Because of its somewhat unusual nature, the picture probably will require special exploitation methods but the wise showman is likely to find such efforts amply rewarded at the box-office and in the appreciation of his audiences.

Running time, 114 minutes. "G."*

Ed Greif

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*"G" denotes general classification.*

# *Erpi Exhibits New Sound System for Sale in U. S.*

Erpi yesterday held an exhibition at the Astor of its new Mirrophonic "Master Sound" system, developed by the company for the foreign distributors of Western Electric theatre equipment.

The new reproducer is regarded as an advance in technique and design over the equipment now being marketed. It is expected that it will be made available to exhibitors in the United States by Erpi licensees, Motiograph and International Projector.

The new system is for theatres of any size or type. According to engineers, it meets and even exceeds the requirements recently set forth by the Academy of Motion Arts and Sciences, particularly in sound recording as typified by the high volume prints which are scheduled soon from Hollywood studios.

While adequately handling higher volume, provision has been made to reduce noise, engineers say, and a new damping fluid is used instead of ordinary machine oil to reduce "flutter" below a commercially acceptable measurement.

Single sprocket threading and 15-watt amplifiers which cost less to operate than the present 8-watt type are among the innovations.

Erpi officials attending the exhibition were: T. K. Stevenson, president; Fred Foster, controller; E. S. Gregg, general foreign manager; Miles Goldrick, assistant general foreign manager; Clifford W. Smith, west coast vice-president; Dr. Donald MacKenzie, director of engineering; E. W. McLellan, foreign department; Herbert Forster, Western Electric information manager, and C. L. Stong.

Among others were E. I. Sponable, chief sound engineer, 20th Century-Fox; Herbert Griffin and A. E. Meyers, International Projector; L. W. Conrow, George Carrington, Bert Sanford, Frank Gilbert and E. O. Wilschke of Altec; L. W. Davee, Motiograph; Mr. and Mrs. C. S. Ashcraft, Ashcraft Mfg. Co.; Alfredo Murua, SIDE studios, Buenos Aires; Eduardo Zublin, Argentine circuit representative; G. Burckhardt, exhibitor from Colombia; Alfonso G. Merlet, Italo-Chileno circuit, Chile; George Schutz and Aaron Nadell, *Better Theatres*; H. Alban Mestanza, *Teatro al Dia*, and James Finn.

## *C. F. I. Sets Dividend*

Dividend of 25 cents per share on the preferred stock was voted yesterday by the board of directors of Consolidated Film Industries. The dividend is payable July 1 to stockholders of record on June 15.

# Celebrities Attend 'Mr. Chips' Preview

Celebrities, as usual, held the most attention at the invitation preview of M-G-M's "Goodbye, Mr. Chips," at the Astor last night. Among those attending were:

Douglas Fairbanks, Sr., Mrs. Victor Saville, wife of the film's producer; Grantland Rice, William [illegible] Brady, Alice Duer Miller, Grace George, Borough President Stanley M. Isaacs, Borough President James J. Lyons, Arthur Krock, Conde Nast, William S. Paley, Julius Ochs Adler, M. H. Aylesworth, Raoul Fleischmann, Arthur Hayes Sulzberger, Mrs. Paul Block, Irene Kuhn, Mr. and Mrs. Averil Harriman, Mrs. W. Bayard Cutting, Ira Nelson Morris, James Ralph Bloomer, T. J. Buttikoffer, Dick Hyman, P. M. Hamilton, John O'Hara Cosgrave, Herbert R. Mayes, W. T. Dewart, Thomas Beck, H. B. Fairchild and John Hanrahan.

Three Dayton, O., critics, guests of M-G-M at the World's Fair Sunday, covered "Goodbye, Mr. Chips" opening for their papers.

# Australia Officials N.Y.-Bound Tonight

Hollywood, May 15.—Theatre attendance has been hard hit by the war scare fever in Australia, according to Ralph Doyle, managing director of RKO Pictures of Australia, Ltd., and Charles E. Munro of Hoyt's Theatres.

They arrived here on the *S.S. Monterey* for a one-day stopover before continuing tomorrow night to New York where Doyle will attend RKO meetings and Munro will look over American product.

Passage of new quota restrictions in Australia, both men said, has not materially aided local production thus far. The quota law, passed last year, raised from 12½ per cent to 25 per cent the quota on American films, gave exhibitors 3 per cent rejection privilege on American films in favor of domestic product and contained a clause, as yet inoperative, providing for 15 per cent of British-made film in quota.

However, both officials agreed that the latter quota, which, if proclaimed, would raise total quota limits affecting American pictures to 43 per cent, was passed only as a lever for reciprocal dealings with England.

## *RKO May Act Today On Patterson Post*

**Decisive action on the appointment of Richard C. Patterson, assistant Secretary of Commerce, to a high executive post in RKO may occur at a meeting being held in New York today. Financial interests associated with RKO conferred on the appointment yesterday without action having been taken. The conferences are scheduled to be resumed today.**

**Patterson plans to retire from Government service this summer.**

Sounds as good as it looks — and it looks like a million!

New RCA PHOTOPHONE MAGIC VOICE of the SCREEN
with Rotary Stabilizer
PLUS SHOCK PROOF DRIVE

Designed for any theatre— regardless of size.

RCA PHOTOPHONE HIGH FIDELITY SOUND

# Expect Trade Code to Start Next August

(Continued from page 1)

they will be submitted to all organizations participating in the negotiations. Allied States has called for a vote of independent exhibitors on the code at its national convention in Minneapolis, June 13 to 15. Rodgers is scheduled to discuss the code at the convention, and Allied spokesmen are expected to oppose certain phases of it.

The pact is scheduled to go into effect with the 1939-'40 season. At the earliest, the season will not start until early in August, as is the case with 20th Century-Fox.

In addition to Rodgers, among those attending yesterday's meeting were Richard Dwight, of counsel to 20th Century-Fox; E. W. Aaron and Irving Greenfield of M-G-M; I. Howard Levinson, Warners; Ned E. Depinet and William Mallard, RKO; William Scully and Adolph Schimel, Universal; Neil F. Agnew and Lou Phillips, Paramount; Eugene Picker, Columbia.

# 50 Executives Due At Award Luncheon

A final check indicates an attendance of more than 50 top industry figures who will be guests of Martin Quigley today in the North Garden Room of the Hotel Astor, at the Quigley Grand Awards luncheon. Presentation of the Grand Award Plaques will be made by William F. Rodgers, M-G-M general sales manager, and among others expected to speak are Spyros Skouras and Frank C. Walker.

The winners, John Purhorn of Chicago and George Limerick of Enid, Okla., who arrived yesterday to spend a week as guests of *Motion Picture Herald*, were widely entertained during the day.

## *To Honor Shaw Today*

New Haven, May 15.—Loew-Poli theatre managers and members of the division staff will tender Harry F. Shaw a dinner party at Ceriano's tomorrow night in honor of his fifth anniversary as division manager here.

## *Lion Hunt Is On! Wanted: Leo Jr.*

**Lions International clubs are inaugurating a "lion hunt" to find the successor to Leo the Lion for M-G-M's shorts.**

**The clubs are obtaining photographs of lion cubs at zoos and the winner will be chosen for grace, charm, majesty and photogenic qualities and he will be "adopted" by the M-G-M studio.**

**The choice will be announced at the Lions International convention at Pittsburgh in July. Cubs under eight months old are eligible.**

# Film Cases Before Courts

Loew's, Inc., yesterday filed notice that it will apply to Federal Judge Leibell Friday for an order dismissing the stockholders' suit brought against it, 35 of its officers and directors, ERPI, Western Electric Co., the Chase National Bank, and Halsey Stuart & Co. by Norman Wolf and Manes Fuld, for waste and mismanagement.

### M-G-M Settles $88,500 Bitner-Feist Suit

Suit for $88,500 against M-G-M brought by Edgar F. Bitner and the estate of Leo Feist, was settled yesterday at trial before Supreme Court Justice Wasservogel upon undisclosed terms. Plaintiffs had suit for two installments of $44,250 allegedly due as part payment for the purchase by M-G-M of 1,450 shares of Leo Feist, Inc., which carried with it the control of the company.

### Hearing Set May 23 In "Snow White" Suit

Walt Disney Productions, Ltd., was ordered by Supreme Court Justice Valente yesterday to submit to an examination in Los Angeles on application of Adriana Caselotti and Harry Stockwell. RCA. Mfg. Co. was directed to appear for examination here on May 23. Caselotti and Stockwell, singers in "Snow White and the Seven Dwarfs," are suing Walt Disney Productions and RCA for $300,000 damages, claiming that the defendants, without their consent, made recordings of their songs from the motion picture sound track.

### May 29 Hearing Upon Alger's RKO Claim

Federal Judge Bondy yesterday fixed a hearing for May 29 upon application of Special Master Alger for an allowance of compensation for his services in the RKO reorganization. Applications of the Chemical Bank and Trust Co. as trustee under RKO note injunctions for $34,375 and $4,025 disbursements, and its attorneys, Wright, Gordon, Zachary and Parlin for $22,500 also was set for the same day.

### RCA Stockholder Allowed to Intervene in Suit

Supreme Court Justice Rosenman yesterday granted permission to Norman C. Norman, holder of 500 shares of RCA common stock, to intervene in the stockholders suit against that company, its officers and directors, American Telephone and Telegraph Co., Westinghouse Co. and General Electric Company, for the alleged unlawful transfer of a large block of stock. Twelve stockholders have already filed action in a suit previously consolidated.

## *Fight Mexico Union Ban on Franco Films*

Mexico City, May 15.—Asserting the action is certain to prompt retaliation that will harm Mexican pictures, producers and distributors of Mexican films have petitioned President Lazaro Cardenas to use his influence toward upsetting the latest film boycott by the Confederation of Mexican Workers, Mexico's strongest labor organization.

The boycott is against all pictures to be made in Spain during the Franco administration. The Confederation, which has banned several German and Italian made pictures, considers the Franco Government Fascist.

## *Briggs 1938 Salary Reported at $25,531*

O. Henry Briggs, president of Pathe Film Corp., received a salary of $25,531 in 1938, it was reported yesterday by the Securities & Exchange Commission.

In radio, Powell Crosley, Jr., president of the Crosley Corp., received $25,000. Vice-Presidents Lewis Crosley and James D. Shouse were paid $20,000 and $19,000 respectively.

## *Canadian Changes Made in 'Bell' Film*

Hollywood, May 15.—Twentieth Century-Fox will insert in Canadian prints of "The Story of Alexander Graham Bell" scenes of the telephone inventor's homestead in Canada, and of the Canadian memorial to him.

The studio is now finishing added scenes to placate the reported resentment caused by the minimizing of Bell's Canadian origin in the original script.

# Ticket Taxing Bills Opposed In Legislature

Albany, May 15.—A two per cent sales tax, designed to raise $125,000,000 which would be returnable to communities for local relief costs, is before the State Senate for consideration.

Introduced Saturday by Senator Martin of Syracuse, it does not exempt theatre admissions. It seeks a one cent tax on admissions from 13 to 63 cents and two cents on admissions between 64 and 99 cents. Leaders believe the Martin bill is destined for defeat.

Western New York opposition to the Desmond housing bill, which provides for a ticket tax, is being led by the Buffalo M.P.T.O., which comprises more than 300 exhibitors.

## *$20,175 Monogram Profit in 3 Months*

Profit of $20,175 was earned by Monogram during the first three months of 1939, W. Ray Johnston, president, advised stockholders in a letter yesterday. Same period last year resulted in $35,956 loss.

The figure, unaudited, is the net profit after allowance for amortization but before deductions for Federal income taxes. Including the last two months of 1938, Johnston revealed that profit for the five-month period ending April 1 totaled $57,308.

"Hal Roach's ZENOBIA should be a very funny picture. And it is!"
— NEW YORK TIMES
RELEASED THRU UNITED ARTISTS

# Theatre Boom For Montreal On Royal Visit

MONTREAL, May 15.—More than 500,000 persons are expected to flock here for the visit of British royalty, scheduled Thursday, and exhibitors are anticipating a business increase up to 50 per cent.

Tourists have been arriving here since Saturday, waiting for the British monarchs whose arrival has been delayed by fog at sea. The whole town has taken on a festive air. Theatres have arranged special shows and decorated their marquees. Exhibitors expect "dead" houses during the procession, but expect to catch good evening crowds.

## *Royalty Newsreels Escape Delay Here*

Delay in the landing of British royalty will not affect newsreels adversely. In view of the postponement from yesterday until tomorrow, the negatives will reach here in time for the regular editions of the reels and will not require specials.

Radio schedules have been revised because of the delay in arrival of the *Empress of Australia*. First programs, originally scheduled for yesterday morning, will begin tomorrow instead.

## *Group Theatre Plays On Kate Smith Hour*

Ted Collins has entered into an agreement with the Group Theatre to present a series of radio versions of dramatic offerings starring players from that organization on the Kate Smith hour.

Beginning with Thursday's broadcast, members of the Group Theatre will be heard in an adaptation of "Men in White," with Frances Farmer and Luther Adler; May 25 Stella Adler and Morris Carnovsky will do "Life of Sarah Bernhardt," and on June 1 "Golden Boy" will be offered.

## *NBC Will Televise Ball Game Tomorrow*

First televised showing of a baseball game has been scheduled by W2XBS, NBC short-wave station, for tomorrow when the cameras will cover the action of the intercollegiate game between Columbia and Princeton, from Baker Field, at 4 P.M. It will be the first sports telecast in this country.

## *WIOD Labor Quiz*

MIAMI, May 14.—Labor practices of WIOD and its parent, Miami *Daily News*, will be investigated by the National Labor Relations Board at a hearing on charges growing out of the dismissal last fall of four radio artists.

## *'Chips' Ads on Radio*

M-G-M, through Donahue & Coe, is using spot announcements for one week over WNEW to advertise "Good-Bye Mr. Chips," opening at the Astor today.

## *Urge Longer Terms For Radio Licenses*

**Longer terms for radio licenses and definite standards to guide censorship and control have been suggested to the Federal Communication Commission by the National Council on Freedom from Censorship. The proposals are aimed at promoting freedom of the air.**

# *Radio Personals*

JOHN TILLMAN, formerly of WHAS, Louisville, and WSB, Atlanta, has joined the CBS announcing staff here. . . . Wallace Walker has joined Mutual's sales promotion department in a market research capacity. . . . Basil Rathbone and Patricia Ellis will make guest appearances on Bing Crosby's show Thursday. . . . Tom Fizdale is back in New York after an extended stay at his west coast offices. . . . Nan Wynn joins the Hal Kemp crew as vocalist May 19, succeeding Maxine Gray.

# Name King to Head Florida Broadcasters

JACKSONVILLE, May 15.—Frank M. King, head of the Florida Broadcasting Co., operating WMBR, Jacksonville, was named president of the Florida Association of Broadcasters at a meeting here in connection with a district convention of the National Association of Broadcasters.

Other officers elected were Gilbert Freeman of WTAL, Tallahassee, first vice-president; Harold Danforth, WDBO, Orlando, second vice-president; Spencer Mitchell, WDAE, the Tampa *Times* station, secretary-treasurer; Walter Tison, WFLA, Clearwater; Fred Borton, WQAM, Miami, and Henry Wells, WCOA, Pensacola, directors.

Representatives of 33 stations in Florida, Georgia and Alabama attended a business session called for the purpose of formulating a "very definite statement telling the reason why the south is not ready for television."

Principal speakers at today's session were E. C. Mills of Ascap and Neville Miller, president of the N. A. B.

## *FCC Calendar of Hearings*

WASHINGTON, May 15.—Federal Communications Commission has tentatively assigned broadcasting applications for hearings as follows:

June 12: Application of KTSW, Emporia, Kan., for extension of time from day to unlimited.

June 15: Application of Central Broadcasting Corp. for a new 1,500-kilocycle station at Worcester, Mass., with 100 watts night, 250 watts day.

June 26: Application of Catawba Valley Broadcasting Co., Inc., for a new 1,370-kilocycle station at Hickory, N. C., with 100 watts night, 250 watts day.

June 30: Application of KALE, Portland, Ore., for increase of day power from 1,000 to 5,000 watts.

July 10: Application of Samuel M. Emison for a new 1,420-kilocycle, 100-watt station at Vincennes, Ind.

July 12: Application of KUTA, Salt Lake City, for change of frequency from 1,500 to 570 kilocycles and increase of power from 100 to 1,000 watts.

Application for a construction permit for a new 1,340-kilocycle, 1,000-watt station has been filed by the Porto Rican American Broadcasting Co., Inc., Ponce, P. R.

Other applications included the requests of KQV, Pittsburgh, for increase of night power from 500 to 1,000 watts, and KMTR, Los Angeles, for increase of power from 1,000 to 5,000 watts.

## *Set New WMCA Series*

A new Friday musical and variety series featuring Billy Glason, will start over WMCA May 19 from 10 to 10:30 P. M. The series will be titled "Laff Parade," and in addition to Glason will have Lee Grant's orchestra, and Shirley Hall, Jimmy Blair and Mildred King.

## *Study Television Here*

SAN FRANCISCO, May 15.—David Worrall, head of the Australian Broadcasting System and manager of 3DB, Sidney, is here with C. P. McGregor, Hollywood transcription producer, to see RCA television and other radio exhibits at the exposition.

## *Renew Reiser Pact*

Al and Lee Reiser have received their fourth renewal as conductors of the "All-Star Revue," heard Thursday at 7:30 P.M. over WEAF. The renewal is for 13 weeks starting June 22.

## *Shift Television Time*

NBC has revised its television film schedule, from Mondays, 11 A.M. to 4 P.M., to Saturdays from 4 to 9 P.M. Film schedule is primarily for dealer showings, and the new schedule has been arranged as an accommodation to dealers who have urged the Saturday showings as the best time to demonstrate the sets to the public.

## *To Short-Wave Mutual*

Beginning June 1, W1XAL, Boston, in addition to its regular short-wave schedule, will pick up the Mutual network's programs from 10 A. M. to 12 noon, Monday through Saturday. for transmission to Europe and South America.

## *Foster WLW Announcer*

CINCINNATI, May 15.—Fred Foster, Jacksonville, Fla., will replace Del King as WLW announcer when the latter leaves shortly to take a post in Chicago.

# Banner LINES

IRKED by the success of BB in getting short-wave progran into Germany, the Nazi Ministr of Propaganda has issued a dictio ary defining some of the terms fre quently used in the British broac casts. Some of the official de tions, according to *Newsdom*,

Gentlemen—In England everyone a gentleman so long as it is not publicly demonstrated that he isn't.

Consultation—To ask permission— of England, naturally.

Freedom—A word for which ther is a fondness, to cover up other ill sounding ideas.

Calico—Cotton goods, petroleum coal, naval bases, steel, rubber—wha the English statesmen mean whe they speak of God or Righteousnes

▼

*The Helen Menken series, "Secon Husband," used to have a sombre not about each episode, but now it's muc gayer and more sprightly. If yo seek an explanation, the change i format is due to the change in weath er. In other words, for spring an summer the show will stress lightnes and gayety; in the winter it will pic up its worrisome habits again.*

▼

**John Steinbeck's "Grapes o Wrath" is a best-seller withou the aid of Alton Cook's appendix, o course, but the fact remains tha the sale of the book took an upwar hike while the radio editor of th *World-Telegram* was convalescin from his appendectomy. Thus fa he's received six copies of the boo from friends.**

▼

Guy Hickok of NBC's short-wav division, showed us the letters fron German listeners. A batch of them all requesting the network to mai them copies of the words and lyric of—"The Star Spangled Banner."

▼

*When the King and Queen of Eng land arrive in Washington for the June 8-9 stopovers, Mutual will merg the special events staffs of three stations to handle the event, WOL Washington; WBAL, Baltimore, anc WOR, New York.*

▼

**CBS Institutional Note. The handball fever is raging over o Madison Ave. with the network's production department team challenging all comers, particularly NBC. On the team are Mel Allen Ed Scoville, Bob Ray, Charles Curtin, John Allen Wolfe, Jack Slocum (a ringer), Art Mundorff, John Reic King and George Putnam.**

▼

The Modernaires are feuding with the Merry Macs—similarity of arrangements is the cause.

—JACK BANNER

## *Dunham at Meeting*

Dr. Franklin Dunham, NBC educational director, left yesterday to attend the three-day annual meeting of the American Association for Adult Education at Niagara Falls. Today he will participate in the Association's round table on new agencies of adult education, which will include a discussion of radio.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

45. NO. 95 NEW YORK, WEDNESDAY, MAY 17, 1939 TEN CENTS

## Name Rathvon And Patterson To RKO Posts

### Bondy Indicates He Will Confirm Nominees

Nominations of Richard C. Patter- n as a director and chairman of reorganized RKO and N. Peter Rathvon as chairman of the new company's executive committee were submitted yesterday to Federal Judge William Bondy by Atlas Corp., proponent of the RKO reorganization plan. The court indicated would approve the appointments.

R. C. Patterson

Patterson, who was Assistant Sec- tary of Commerce, would replace oyd B. Odlum, head of Atlas, who as named previously to serve as ard chairman temporarily. Rathvon as approved by the court previously an Atlas nominee for the new RKO ard. It was stated that as execu- ve committee chairman he would ve a substantial portion, but not all his time, to the post.

Patterson, likewise, will give only rt of his time to the chairmanship. oth appointments, if approved by the urt, will be effective with consum- ation of the RKO reorganization, pected early next fall.

Active management of the company ll continue to be vested in George Schaefer, RKO president.

## oncessions Made In IATSE Dispute

Hollywood, May 16.—I.A.T.S.E. s embarked on a policy of appease- ent and is trying to settle its dispute th deposed officers of Studio Tech- cians Local 37.

Concessions offered include return local autonomy, removal of Harold . Smith, international representative charge of the office here, and the ght to try Lew Blix, the local's ecutive secretary, and two members the board of governors.

The local's officers also demand iarantee of autonomy in the future. negotiations are successful, court tions scheduled for Monday will be viated.

### *Fourth House Here Gets Television Set*

**New York showmen are alive to the exploitation possibilities of television. The New Amsterdam is the fourth theatre in the metropolitan area to install a receiving set in its lobby. The others are the Little Carnegie, the Paramount and the Plaza.**

## Bondy Postpones Trust Ruling, Asks For Majors' Reply

Federal Judge Bondy is holding up decision on the Government's application in its anti-trust suit against the majors for an order dispensing with the naming of witnesses in the bill of particulars until the majors apply for a more specific bill, he stated yesterday.

The statement was made during the RKO hearing, when Judge Bondy suddenly interrupted Col. H. C. Rickaby, attorney for Atlas Corp., to ask him whether he had filed a motion for a more specific bill. Col. Rickaby said he was not directly interested in the anti-trust suit.

O. C. Doering, attorney for RKO, replied that the application would be made within the next few days. Judge Bondy thereupon said that he did not wish to urge the majors to make the application, but if it was made, he would decide it and the Government's application simultaneously.

## 12 Companies Ask Okla. Case Delays

Oklahoma City, May 16.—Twelve picture companies named by the government in the anti-trust action here two weeks ago joined today in asking extension of time to answer the federal petition, which is the second suit in the government's monopoly drive against the industry.

Four circuits which exhibit in the Oklahoma and Texas area—Griffith Amusement Co., Consolidated Theatres, R. E. Griffith Theatres, and Westex Theatres—as well as three officers of the companies, L. C., H. J. and R. E. Griffith, asked through their attorneys for at least a 60-day extension of time from the day the summonses were served on May 1 and 2.

Of the distributing corporations, United Artists and Columbia asked for at least a 40-day delay. Five other companies asked extension until July 1 for formulating their answers.

# NEW FILM DRIVE NEEDED—SKOURAS

## Paramount Asks Reelection of All 16 on Directorate

Reelection of all 16 Paramount directors for a one-year term is asked by the company in its notice of the annual meeting of stockholders at the home office June 20. Notices of the meeting were mailed yesterday.

The management states that it knows of no other business to be transacted at the meeting except the election of directors. The proxy committee for the company will vote for the reelection of Adolph Zukor, Barney Balaban, Stanton Griffis, Y. Frank Freeman, Austin C. Keough, Neil F. Agnew, John W. Hicks, Jr., Stephen Callaghan, Harvey D. Gibson, A. Conger Goodyear, Duncan G. Harris, John D. Hertz, Earl I. McClintock, Edwin L. Weisl, Maurice Newton and E. V. Richards.

The notices report that the following board members own stock in the company, beneficially or of record: Balaban, 2,000 shares of common; Griffis, 3,000 shares of common; Freeman, 500 shares of second preferred; Keough, 59 shares of common and 223 shares of second preferred; Callaghan, a director of Allied Owners Corp., which owns 9,900 shares of first preferred and $250,000 principal amount of 3¼ per cent convertible debentures; Gibson, chairman

(*Continued on page 2*)

## U.S. Film Boycott Ended in Mexico

Mexico City, May 16.—Following an agreement negotiated by Mayor Raul Castellano of Mexico City, former private secretary to President Lazaro Cardenas, the boycott against the circuit operated by Rodriguez Brothers in Nuevo Leon State has been dropped.

Also, the effort on the part of the Federation of Mexican Cinematographic Workers to prevent the exhibition here or the product of American distributors who were determined to supply films to the circuit, has been abandoned. The agreement provides that all other forms of reprisal instituted against the circuit in the union fight be stopped as well as interference with the exhibition of American product in any part of Mexico.

### *Circuit Head Suggests Campaign at Quigley Awards Luncheon*

By AL FINESTONE

Spyros Skouras, president of National Theatres, speaking at the 1938 Quigley Grand Awards presentation luncheon at the Hotel Astor yesterday, urged that an industry-wide promotion campaign be inaugurated this year "to make the public conscious of the great pictures that the studios are producing."

Skouras was the principal speaker at the luncheon, which was attended by many of the industry's ranking executives in honor of the Grand Awards winners, John Burhorn of Chicago and George Limerick of Enid, Okla. William F. Rodgers, general sales manager of M-G-M, presented the plaques symbolic of the awards. Martin Quigley was host at the luncheon and toastmaster.

### Hails 1938 Campaign

In urging a new promotion campaign, Skouras said: "Let us combine our thoughts to devise another movement to further the industry's product and goodwill.

"Some say that the campaign last year was not successful. I disagree. There were 980 editorials in important newspapers of the United States on the industry's effort, 95 per cent of which praised films. No one can deny that this in itself was worth while.

"I am certain that the campaign had beneficial results throughout the coun-

(*Continued on page 5*)

## *Coast Flashes*

Hollywood, May 16.—Hal Horne, eastern representative for Walt Disney, was elected vice-president in charge of distribution and a member of board of governors of Walt Disney Productions. He returns to New York Tuesday.

•

George J. Schaefer, president of RKO, left tonight for New York following studio conferences, accompanied by Gordon Youngman of the legal department.

•

Murray Silverstone, U. A. head, leaves for New York Thursday. J. J. Milstein, Edward Small's eastern representative, departs today. Charles Schwartz, U. A. counsel, left for San Francisco en route east.

# Equity Takes Strong Stand On Television

Actors' Equity has taken the bull by the horns in the jurisdictional fight for control of the television field and has asserted its right to control actors engaged in this work.

The leading editorial in *Equity,* the official organ, will declare today:

"The Equity Council has no doubts in its mind, and wishes to leave no doubts in the minds of others, that it is able and willing to exercise the jurisdiction it holds over the field of television. It asks this help of its members at this time to enable it to make the exercise of jurisdiction a matter of pride to them, the Council and the Association."

The magazine, which appears regularly on the 15th of the month, was delayed two days in the hope that the Associated Actors and Artistes of America, the parent body, would make an open resolution proclaiming that Equity had jurisdiction. However, when delegates from Screen Actors' Guild and American Federation of Radio Artists asked a week's delay to consult the unions they represent, Equity officials decided to release the magazine.

The editorial points out that all Equity members who are approached for regular work in television are required to submit the offer and its terms to Equity for approval.

## *Loew's Files Brief In Plagiarism Case*

Appeal brief of Loew's in the infringement suit of Edward Sheldon and Margaret Ayer Barnes, authors who recovered a judgment of $532,153 for alleged plagiarism of their play, "Dishonored Lady" in the M-G-M film, "Letty Lynton," was served yesterday. John W. Davis will argue the appeal for Loew's in the U. S. Circuit Court of Appeals.

The appeal will probably be heard early next month. The brief does not question the infringement but argues that the method of computing damages was incorrect.

3 Flights Daily
NEW YORK
TO
LOS ANGELES

THE PLAINSMAN
Lv. 7:10 A. M. Ar. 12:29 A. M.
THE MERCURY
Lv. 5:10 P. M. Ar. 7:43 A. M.
THE SOUTHERNER
Lv. 10:10 P. M. Ar. 1:55 P. M.

Ask your travel agent or phone VAnderbilt 3-2580. Ticket offices: 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES *Inc.*

# *Purely Personal*

**LOUIS B. MAYER** will arrive in New York from New Brunswick on Saturday or Sunday. He plans to remain here about three days before leaving for the coast.

•

**COL. E. P. HOUSEHOLDER** and **R. B. MURRAY**, of the U. S. Army Motion Picture Service, Washington, were in New York yesterday for a visit to the World's Fair. Other registrants at RKO's World's Fair headquarters were **JACK BERMAN**, Eastland Theatres, Los Angeles; **J. E. STOCKER**, Myrtle Theatre, Detroit.

•

**A. L. PRATCHETT**, Paramount manager for Mexico and Central America, arrives in New York by plane this morning from Mexico City. He will be at the home office until June 4 when he leaves for the coast to attend the company's annual sales meeting.

•

**GERALDINE FITZGERALD**, Irish actress featured in "Wuthering Heights" and "Dark Victory," returns to Ireland today aboard the *Washington.*

•

**JOSEPH M. SCHENCK**, 20th Century-Fox board chairman, who has returned to the coast, is planning to return here in about two weeks.

•

**HARRY TUGANDER**, formerly with Paramount News, has been named assistant to **CLAUDE COLLINS**, in charge of newsreels and other films at the World's Fair.

•

**E. C. MILLS** of Ascap is due back in New York from Florida tomorrow.

**BARNEY BALABAN**, **JOHN HICKS**, **STANTON GRIFFIS**, **J. ROBERT RUBIN**, **MAX WOLFF**. **ARTHUR LOEW**, **CLARK ROBINSON**, **HERMAN SHUMLIN**, **CHARLES SONIN** among those at Sardi's for lunch yesterday.

•

**CECIL F. MASON**, Columbia general manager for Australia, left for the coast yesterdav by train where he will board the *Monterey,* sailing for Australia, May 23. He conferred with home officials and attended the company's annual sales convention while here.

•

**SIMON Z. BELL**, Columbia manager at Trinidad, B.W.I., is scheduled to arrive in New York today on the *Uruguay* for home office conferences with **JOSEPH A. MCCONVILLE**, Columbia foreign manager.

•

**CHARLES COBURN** is motoring east after completing work in RKO's "Memory of Love," and will direct the fifth annual Mohawk Drama Festival at Union College, Schenectady.

•

**FRANK C. GILBERT**, chief engineer of Altec, has completed a 6,000-mile motor trip, visiting company offices between New York and the coast.

•

**EVELYN GERSTEIN** leaves Monday to do advance music publicity on **GOLDWYN'S** "Music School," going to Boston, Providence, Montreal and Atlanta.

•

**ROBERT ANSTETT**, head property man at the Roxy, has been reelected president of Local 1, Stagehands' Union.

## *Cole in Columbus*

INDIANAPOLIS, May 16.—Col. H. A. Cole, national Allied president, met with Associated Theatre Owners of Indiana board of directors today. He will go to Columbus tomorrow and Detroit Thursday.

## *Levy Appoints Nolan*

Jules Levy, general sales manager of RKO, has named R. V. Nolan, Chicago salesman, as St. Louis branch manager, replacing Bernie McCarthy, who resigned because of ill health.

## *C. E. A. Meet June 25*

LONDON, May 16.—Annual conference of the Cinematograph Exhibitors' Association will be held in Blackpool, from June 25 to June 30.

## *Local 52 Pact Ready*

Final draft of the proposed contract is expected to be ready today when eastern producers meet with Studio Technicians' Union, Local 52. The union has been operating under a memorandum agreement since January, 1938, and present negotiations have been conducted since February. The draft may be agreed upon today with actual signatures to follow shortly.

## *Ojerholm to England*

John Ojerholm, Paramount laboratory technician, sails for England today on the *Aquitania.* While abroad, he will install equipment in Paramount's British laboratories similar to that in the Long Island plant. He will return in four or five months.

# *The Newsreel Parade*

*Britain's King and Queen bidding farewell and a grain fire in Chicago highlight the new issues. The reels and their contents follow:*

MOVIETONE NEWS, No. 71—British royalty leave for Canada. Grain fire in Chicago. Beck addresses Polish Parliament. Army parade in Poland. Coal strike settled. Typical American mother chosen. Fashions. Lew Lehr. Johnstown loses Preakness. Boating at Niagara Falls. Boxing in New York. Aquacade opens.

NEWS OF THE DAY, No. 269—Grain elevators burn in Chicago. Britain's rulers start tour. Beck speaks in Poland. Taylor-Stanwyck wedding. Prince of Persia returns with bride. Diving. Preakness race.

PARAMOUNT NEWS, No. 82—Royal wedding in Iran. New Italian provinces in Africa. Eucharistic Congress in Algeria. Tulip festival. Taylor weds Barbara Stanwyck. Moral Rearmament gathering. Pacific fleet returns. King George and Queen Elizabeth depart for Canada. Challedon wins Preakness.

RKO PATHE NEWS, No. 86—Fire in Chicago. G. P. Putnam reports abduction. Coal pact signed. Royal newlyweds in Persia. Eucharistic Congress in Algeria. Aged woman named "American Mother." Beck answers Hitler. Preakness.

UNIVERSAL NEWSREEL, No. 771—King and Queen start trip. Grain fire in Chicago. Anniversary of French Revolution celebrated. Vice-President of Ireland arrives in New York. Eucharistic Congress. Prince of Persia weds. Aquacade diving. Preakness.

# Para. Seek 16 Reelection As Director

(Continued from page 1)

and president of Manufact Trust Co., which owns beneficial 607 shares of first preferred and $3 000,000 principal amount of 3¼ p cent debentures; Goodyear, 1,0 shares of common and 600 shares first preferred; Harris, 200 shares common and 200 of second preferre Hertz, 100 shares of common; M Clintock, 100 shares of second pr ferred; Weisl, 3,200 shares of secor preferred; Newton, 8,118 shares common and 2,813 1/5 shares of se ond preferred beneficially, and has a interest in an estate which owns ben ficially 900 shares of first preferre and $125,000 principal amount of 3 per cent debentures (he is a direct of Adams Express Co., which ow 40,000 shares of Paramount secor preferred and $103,000 princip amount of 3¼ per cent debentures) Richards, 7,500 shares of second pr ferred.

Zukor, Agnew and Hicks are n listed as owning any of the company stock or debentures. Designation the nominees for reelection originat with the board, the notices state.

## *Towns in N. Y. Vote For Daylight Tim*

ALBANY, May 16.—Upstate citie towns and villages are flocking to da light saving time in the wake Syracuse and Elmira, including Bin hamton, Hammondsport and Hancoc

State Senator Roy M. Page sponsoring a bill to give town ar village boards authority to vote da light time.

## *Netco Golf Tourney Se*

Managers of Netco Theatres Cor Poughkeepsie, will hold their thi annual golf tournament at the Powe ton Country Club, Newburgh, N. Y on June 14. Dinner will follow t tournament at the Ship Lantern's In Milton, N. Y.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief ar Publisher; SAM SHAIN, Editor; JAME A. CRON, Advertising Manager.

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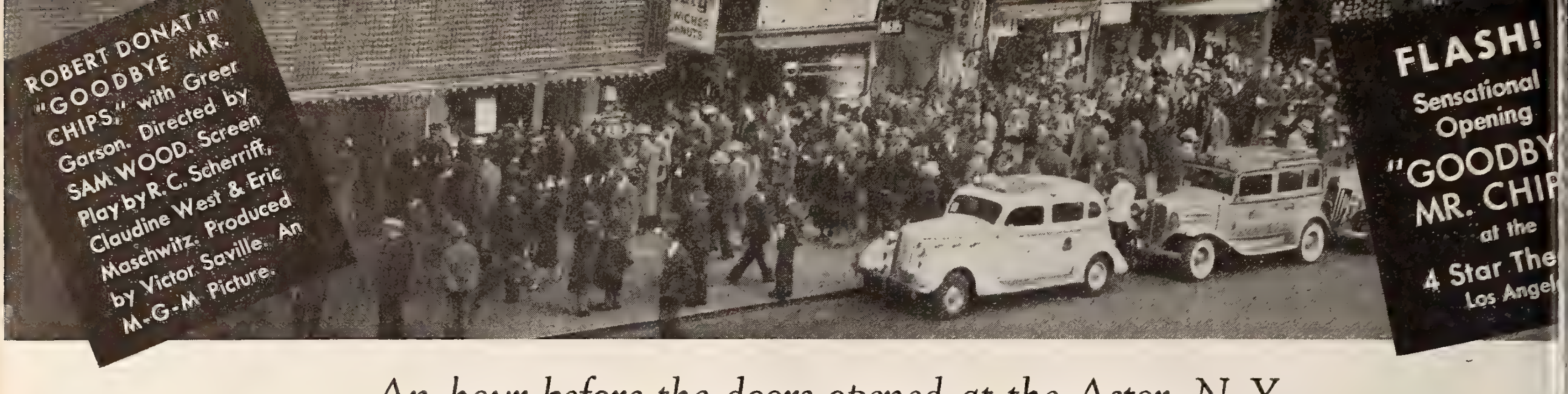
# FULL HOUSE WITH "CHIPS" AT THE ASTOR!

—you never saw such lines at the box-office!
—you never read such lines in the reviews!
—read 'em and leap with joy! *(be chipper as you flip the page →)*



ROBERT DONAT in "GOODBYE MR. CHIPS," with Greer Garson. Directed by SAM WOOD. Screen Play by R. C. Scherriff, Claudine West & Eric Maschwitz. Produced by Victor Saville. An M-G-M Picture.

FLASH! Sensational Opening "GOODBY MR. CHIP at the 4 Star The Los Angel

*An hour before the doors opened at the Astor, N. Y.*
*the first day of "Goodbye Mr. Chips"*

# BEAUTIFUL LINES!

"A motion picture which you will want to see time and again and will remember long after the other offerings of our days have been forgotten . . . Beautiful and eloquently moving . . . directed brilliantly by Sam Wood and performed consummately . . . A screen masterpiece . . . Has a rich humanity rarely achieved . . . Mr. Donat's portrayal inspired . . . Greer Garson's performance enormously sincere, electric and haunting. A film to be remembered!" —**HOWARD BARNES,** *Herald-Tribune*

"'Goodbye Mr. Chips' is everything they said it is and more . . . It is one of the few really great photoplays the screen has so far produced . . . Robert Donat brilliant . . . Greer Garson a real delight . . . proves she is just about the best thing that has happened to the movies in years . . . A great picture, and if you miss it, you're playing a dirty trick on yourself." —**WILLIAM BOEHNEL,** *World-Telegram*

"'Goodbye Mr. Chips' stirring . . . very moving picture. Mr. Donat gives a stunning performance . . . the most exciting of his career . . . Greer Garson is exquisite. Beautifully acted and artfully made. It constitutes a real treat for film fans." —**BLAND JOHANESON,** *Daily Mirror*

"Takes its place as one of the screen's finest entertainments . . . Wholly delightful is the work of the two principals, Robert Donat and a lovely newcomer named Greer Garson . . . A picture of warmth, interesting and enjoyable . . . and its sentiment is genuine."

—**ROSE PELSWICK,** *Journal-American*

"Excellent . . . Robert Donat's portrayal as good as his doctor in 'The Citadel' . . . Greer Garson proves that her next appearance cannot be too soon or too long . . . She is exciting . . . performances beyond criticism."

—**ARCHER WINSTEN,** *Post*

"Robert Donat brings beloved Mr. Chips to life . . . ha already joined the ranks of fictional immortals. Donat' performance puts him in line for this year's Academ award . . . An achievement of the first order . . . Gree Garson making first screen appearance is beautiful an talented . . . The other members of the cast are fine, too It is all there on the screen . . . heart-warming, charming.'

—**KATE CAMERON,** *Daily New*

"Told from the heart. It will be practically everyone' favorite film for quite a while. It will be remembered lon after most of this year's and last year's pictures are forgotten . . . Donat's performance distinguished . . . You migh as well make it your own favorite film before everyon else tells you it is theirs." —**EILEEN CREELMAN,** *Su*

"A masterpiece, a work of beauty and charm that yo must see once, and that you will want to see again an again . . . The triumph of Donat's career . . . One of th screen's all-time great performances . . . A superlativ screen play, even finer than its original."

—**HERBERT COHN,** *Brooklyn Eagl*

"'Goodbye Mr. Chips', rises to the rank of a great scree classic, a radiant, lovely, endearing film. A picture tha you will see again and again and cherish and remembe long after other things have passed into oblivion."

—**LEO MISHKIN,** *Morning Telegrap*

"Mr. Donat gives an incredibly fine characterization . . Miss Garson is altogether believable and quite entrancin . . . The picture is admirable and right. As Katharin remarks to Chips: 'What a nice lot they are!' And tha suits the picture. What a nice one it is!"

—**FRANK NUGENT,** *Time*

*Proudly M-G-M presents to the industry*

# "GOODBYE MR. CHIPS

**a friendly hit from the friendly company!**

# New Trade Drive Urged By Skouras

(Continued from page 1)

Those exhibitors who partici- benefited. I feel that it did uch good to help the industry. I el that something along this line ould be done this year."

The importance of the individual owman in exploiting the industry's ares and the need for an incentive ch as the Quigley Awards afford ere stressed by the speakers.

In his opening remarks, Quigley re- rred to the Awards presentations as gnalizing conspicuous efforts in the omotion, exploitation and advertis- g of motion pictures.

"I know very well," he said, "that account of the specific activities of l of you there is no need to em- asize the necessity of adequate pres- tation of films to the public." He id the Quigley Awards are designed o give recognition to those who have voted talent and industry to promo- onal efforts."

A-Mike Vogel, chairman and editor the Managers' Round Table of *tion Picture Herald*, through which e Awards competition is conducted, plained their significance and owth.

### 100 Winners Since 1934

"Through the medium of the Quig- y Awards and what they have ac- mplished in the five years that they ave been given, there has been in- ntive for the man in the field to ex- t his efforts in exploitation know- g that they will be rewarded," said ogel.

"Of 100 winners of monthly Quig- y Awards plaques since the inaugu- tion of the Awards in 1934, more an one-third have received promo- ons due to their winning the Awards. f the 10 Grand Awards winners in at time, 50 per cent have been pro- oted, and of half of all the others ted fully 50 per cent have received lary increases and bonuses.

"All this has been established as rectly due to their being Awards inners, as has been attested by their mployers. This record establishes e worth of the Quigley Awards."

### Formula for Showmanship

Vogel said this was the first time e presentations had been made in ew York and had attracted so im- rtant a segment of the industry.

"We all know of the vital neces- ty of showmanship and exploitation put the pictures over," he con- nued. "If there is a formula in owmanship, the Quigley Awards ave made it possible by encouraging owmanship."

Recalling that many of the guests resent have been Awards judges nce the competition was started, ogel thanked them and said that ithout their cooperation the Awards ould not be possible.

Rodgers presented the silver plaque Burhorn, who is manager of the ayety Theatre, Chicago, and the ronze plaque to George Limerick, ty manager of Griffith Theatres, nid, Okla.

"I have a great deal of respect for e aggressive advertising and exploi- tion men who by their imagination and ideas can do the unusual," he said. He spoke of the value of the Quigley Awards and commented on participation in the competition by showmen throughout the United States and Canada as well as overseas.

Addressing himself to the recipients, Rodgers declared: "You have given an incentive to the younger men in show business here and abroad to compete for these awards. Quigley Publications are to be congratulated on this effort whereby these awards are made possible in recognition of outstanding showmanship."

Burhorn and Limerick responded briefly.

Quigley then introduced Skouras as "representing a combination of Old World genius and New World enterprise."

### Praises Mr. Quigley

"Since I have known Quigley for the last 24 years. I have always admired his constant efforts in behalf of the motion picture industry." Skouras said. "I have been a keen observer of the Quigley Awards.

"Some people refer to a good showman as a 'born showman,' but I don't think anyone is born with that quality. I believe it must be acquired by making showmanship a habit.

"Entertainment is an integral part of life, and film theatres play a great part in providing it. The screen has contributed greatly in raising the mentality of the general public, and it is our duty especially today to meet our obligations to a public intelligence which is becoming increasingly aware of the currents of life.

"Our films should be produced with that in view. The studios have done their duty in that respect, and they should be congratulated for their efforts to raise the standard of entertainment.

"The lessons I learned in this business were taught me by the distribution branch.

"The film distributors' advertising and publicity departments today carry on heroically. The exploitation departments play a great part in our business and their efforts should be increased. Their activity should be given adequate recognition by the theatres.

"An exploitation man does not come to a town to waste an exhibitor's time. He comes to help him. When we consider the contribution of the exploitation departments, we realize that they perform a valuable function in the industry.

"The advertising and publicity brains of this business have shown the way for many other industries which have borrowed showmanship ideas from us with great success. The automobile industry is conspicuous in this regard.

"But we must not rest on our laurels. There is still much we can do. Our showmanship possibilities have not been exhausted by any means. If a picture fails to respond at the box-office, there is something wrong. It is our fault, not the public's. Other forms of amusement have taken ideas from us, and now we have to compete with them for part of the public's dollar. We must remember that 'they won't see it unless we sell them.'"

# Winners of Quigley Awards Honored

*Winners of the Quigley Grand Awards with some of the guests at the luncheon in their honor at the Astor yesterday. From left to right are: A-Mike Vogel, Gradwell L. Sears, George Limerick, Bronze Grand Award winner; Martin Quigley, John Burhorn, Silver Grand Award winner; Joseph Bernhard, Ned E. Depinet, William F. Rodgers, Spyros Skouras.*

### Present at Luncheon

Among those attending were:

Charles E. McCarthy, director of advertising and publicity, 20th Century-Fox; Maurice A. Bergman, director of advertising and publicity, Columbia Pictures; George Walsh, president, Netco Theatres, Poughkeepsie, N. Y.; Harry Mandel, advertising manager, RKO Theatres; Frank J. McCarthy, general sales manager, Universal Pictures; William Heineman, western division sales manager, Universal Pictures; Alec Moss, advertising manager, Paramount Pictures; Lynn Farnol, director of advertising and publicity, United Artists; Oscar A. Doob, director of advertising and publicity, Loew's Theatres; Arthur Mayer, operator, Rialto Theatre, New York.

Silas F. Seadler, advertising manager, M-G-M; Gus Eyssell, assistant managing director, Radio City Music Hall; Monroe Greenthal, exploitation director, United Artists; Irving Lesser, managing director, Roxy Theatre; Lou Lifton, director of advertising and publicity, Monogram Pictures; Alvin A. Adams, director of advertising and publicity, Republic Pictures; Herman Robbins, president, National Screen Service; George Dembow, general sales manager, National Screen Service; Leon Netter, vice-president, Paramount Theatres Service Corp.; Martin Quigley, Colvin Brown, A-Mike Vogel.

Ned E. Depinet, vice-president, RKO Radio Pictures; Spyros Skouras, president, National Theatres Amusement Co.; William F. Rodgers, general sales manager, M-G-M; John J. O'Connor, vice-president and general manager, RKO Theatres; Joseph Bernhard, general manager, Warner Bros. Theatres; Terry Ramsaye, editor, *Motion Picture Herald;* Gradwell L. Sears, vice-president and general sales manager, Warner Bros. Pictures; Mort Blumenstock, eastern advertising manager, Warner Bros. Pictures; Wm. R. Ferguson, exploitation director, M-G-M.

### Guests of Altec

In the evening, at the Diamond Horseshoe, Burhorn and Limerick were dinner guests of Altec Service, in the company of L. W. Conrow, president; George L. Carrington, vice-president and general manager, and Bert Sanford, district manager for the New York territory.

The winners were shown Universal's "The Mikado" at a special screening Monday, followed by a luncheon given by Nate Blumberg, president. The afternoon was taken up with a gathering at which Warner Bros. played host. Later the theatre men were guests of Herman Robbins and George Dembow of National Screen Service at dinner and a round of Broadway clubs. They are spending this week in New York as guests of *Motion Picture Herald*.

# SWG Refers Labor Issue To AL Chiefs

HOLLYWOOD, May 16. — Screen Writers' Guild at an open board meeting last night voted to present the question of affiliation with a national labor organization to the council of Authors' League of America, of which it is a part. The Guild plans to start a membership drive in the studios this week.

Lillian Hellman, Dashiell Hammett, Alan Campbell and Dorothy Parker, Guild leaders, are in Washington seeking to have N.L.R.B. reopen its hearings at an early date as a result of the breakdown of negotiations between the union and producers for a contract covering film writers.

Reference to the A.L.A. followed a letter from Marc Connelly, president, in which he stressed the fact that writers' affiliation with labor organizations was of deep significance and required study by other writer groups.

## *Labor Board Hears Fabian Union Case*

Informal hearing was held yesterday at the State Labor Relations Board on the complaint of Theatrical Managers, Agents and Treasurers' Union against the Fabian circuit for alleged discharge of two managers for union activities. No agreement was reached and a formal hearing will probably follow.

T.M.A.T. extended its picketing yesterday to three Bronx houses of the Moe Rosenberg circuit. The union has under consideration extension of the strike to all independent houses in the metropolitan area.

## *Fund Report Today*

Group chairmen in the film industry division of the Greater New York Fund are to report pledges and cash today at a meeting in the office of J. Robert Rubin, M-G-M counsel.

# Ascap Will Amend Florida Law Fight

Ascap will amend its pending action attacking the constitutionality of the Florida law penalizing the society's operations in the state to cover any changes in the law which may be enacted, it was stated yesterday by Schwartz & Frohlich, Ascap counsel. Statement was made in reference to proposed amendments to the Florida law before the legislature, which might have a bearing on current litigation to test the existing anti-Ascap law.

Amendments proposed include provision for a three per cent tax on Ascap's gross receipts in Florida; appointment of a receiver for the society's Florida business in the event the tax is not paid; minimized penalties of the existing law and repeal of the provision prohibiting infringement suits.

## *Albany Vote Today On Pari-Mutuel Bill*

ALBANY, N. Y., May 16.—The Assembly today delayed until tomorrow its vote on the pari-mutuel betting bill. The bill already has passed the Senate.

The Martin sales tax measure was reported out of the senate finance committee, but advancement to the third reading was prevented by Republican objections. Should the session end within 48 hours, the bill faces defeat, but further delay will improve the bill's chance of passage, it was said.

The Ostertag fee-charging employment agency bill was amended to include theatrical agencies.

## *Montague to Coast For Columbia Meet*

CHICAGO, May 16.—Abe Montague, general sales manager of Columbia, and Rube Jackter, assistant, left here today by train for Los Angeles where they will preside over the company's third and final regional sales meeting which opens there on Saturday for three days.

. . . EVER Show 3-MILE-A-MINUTE SHORTS?

Why not? Top exhibitors do by super-swift AIR EXPRESS deliveries—2500 miles overnight! It's the film formula for box office profits. Day and night, door-to-door distribution for shorts, newsreels, features—anything—right to your door. Special, screen-wise service direct to 232 key cities in United States and Canada with top-speed air-rail connections to off-airline points. Also to Latin America, Hawaii and Far East. Try 3-mile-a-minute AIR EXPRESS today and pack 'em in by showing 'em *first*. For action phone RAILWAY EXPRESS—AIR EXPRESS Division.

◆

FREE booklet, "Air Express for Bigger Profits." It tells you *how!* Write Dept. 7, Air Express Division, Railway Express Agency, 230 Park Avenue, New York, N.Y.

AIR EXPRESS

## *Murphy to Coast On Speaking Tour*

**Washington, May 16.—Attorney General Murphy will go to the west coast next week on a speech-making tour. He will confer with Department of Justice officials regarding film and other cases being prepared there, it was said.**

# Slow Selling Found Throughout U.S.

PHILADELPHIA, May 16.—Slow selling exists throughout the country, it was revealed at today's meeting of Allied of Eastern Pennsylvania, which heard results of a widespread questionnaire sent out by the body.

The non-theatrical games situation, carnival competition and legislation were briefly reported, but no action was taken. Also discussed was the trade pact, but action was deferred until after the national Allied meeting at Minneapolis.

## *New Buying Agency For Badger Houses*

MILWAUKEE, May 16.—A new buying service for the majority of independents in Wisconsin has been announced by Max Weisner and E. F. Maertz. It is called Theatre Service Agency. Weisner has been associated with film exchanges in this territory for many years. Maertz, president of the I.T.P.A. of Wisconsin and upper Michigan, has been an exhibitor more than 26 years.

## *Carolina MPTO Convenes June 4*

CHARLOTTE, N. C., May 16.—A record attendance is anticipated for the summer convention of the Theatre Owners of North and South Carolina at Myrtle Beach, S. C., June 4, 5 and 6. Herbert J. Yates has promised entertainment. Ed Kuykendall, M.P. T.O.A. president, will speak.

## *Name John Fisher to Censor Board in Pa.*

HARRISBURG, PA., May 16.—Governor James has submitted to the State Senate the name of John Clyde Fisher for one of the two vacancies on the State Board of Motion Picture Censors. Fisher has spent many years in the theatre and film business as a trouper, manager and theatre owner.

## *Delay Paris Meeting*

PARIS, May 16.—Meeting of British and Continental European staffs of Movietone News, scheduled yesterday and today in Paris, has been postponed. Truman H. Talley, Movietone chief, who is to preside is in Holland. He attended the London meeting of 20th Century-Fox.

## *Mrs. Weisfeldt Dies*

MILWAUKEE, May 16.—Mrs. Evelyn Weisfeldt, wife of E. J. Weisfeldt, managing director of the Riverside, died here after several week's illness.

# 120 Writers to See 'Lincoln' Premier

Preparations have been complet by 20th Century-Fox for its wor premiere of "Young Mr. Lincoln" Springfield, Ill., on the night of Mem orial Day.

More than 120 newspapermen fro 22 cities have been invited. A cial train will bring the eastern tingent on the morning of May 30.

John W. Kapp, mayor of Sprin field, has advised Charles E. McCa thy, advertising and publicity directo that the city will cooperate in eve way and that all the police escor needed will be available. McCartl will be in charge of the special train

At the premiere in the evening tl program will include songs by Mari Anderson, famous negro contralt Lowell Thomas will introduce oth celebrities who will appear in a coas to-coast Mutual broadcast. This pa of the broadcast will be heard from to 8:30 P. M. Central Time and fro 10 to 10:30, E.D.S.T.

## *Selznick Publicity Post to Bill Hebe*

HOLLYWOOD, May 16.—William H bert, for the last three years aide Cecil B. DeMille on picture and rad work, today was named publicity rector of Selznick International, su ceeding Victor Shapiro who resign yesterday. Hebert takes office June

## *Buck Jones Loses Suit on Plagiaris*

HOLLYWOOD, May 16. — Feder Judge Hollzer today ordered a no suit in the trial of the $250,000 acti brought by Buck Jones against R public Pictures Corp. and Republ Productions, Inc., for alleged plag arism of what Jones claimed were h screen manners. Suit involved tl serial, "The Lone Ranger."

## *Carriers Expand Distributors' Ai*

Operation by film delivery comp nies of shipping, storage and inspe tion departments for centralized ser ices to distributors has been extend to 14 key cities throughout the cou try. Principal feature of the plan to have the carrier provide services f all distributors and thus eliminate number of smaller exchanges. Wi the carriers providing the physic handling, all that will be necessa will be a list of bookings with vario exhibitors.

## *Phila. Earle First Run*

PHILADELPHIA, May 16.—Warne will restore the Earle to first r status beginning Friday. Since i stage shows were shifted to the F three months ago, the house has bee playing third runs. The Palace, whi has been playing first run action film goes back to third runs, the Ear taking over its programs.

## *Heads Royal Reels*

TORONTO, May 16.—Frank O'Byrn Toronto manager, Associated Scre News Ltd., will supervise newsre arrangements for the royal visit in tl Toronto district.

# 23 Firms Hike NBC Spending Budgets 849%

Twenty-three advertisers who have NBC networks continuously for ears or more have increased their kly expenditures by 849% since st initiating their campaigns, an BC announcement said yesterday. Five more advertisers who have en with NBC for more than four ars have raised their expenditures 0%.

From the first week on the air un- April, 1939, the 28 have increased eir spendings from $81,353 to 43,909, or 692%. Expenditures of e five-year continuous advertisers ve increased from $57,089 to $541,- 8, or 849%.

Advertisers on the air more than ur years and their current and open- g weekly expenditures are:

American Home Products, starting th $2,000 and now spending $35,- 8 weekly; American Tobacco Corp., ,130-$29,087; Bristol-Myers, $1,840- 3,604; Carnation Co., $930-$11,299; ities Service, $3,920-$13,303; Cum- er products Co., $4,102-$13,312; restone Tire Co., $4,648-$11,534; tch Co., $1,972-$10,005; General ods Corp., $3,081-$45,480; General ills, $1,611-$47,602; Andrew Jer- ns Co., $3,157-$12,482; S. C. John- n Co., $5,875-$11,722; Kellogg Co., ,975-$15,740; Lady Esther Co., $1,- 7-$8,700; Miles Laboratories, ,076-$31,274; Philip Morris, $4,601- ,900; National Dairy, $603-$29,260; acific Borax Co., $1,469-$6,780; Pepdent, $9,306-$9,726; Pillsbury Flour, ,005-$10,860; Princess Pat, $476-$1,- 8; Procter & Gamble, $2,531-$118,- 8; Richfield Oil, $1,375-$3,840; andard Brands, $990-$52,688; Stand- d Oil of California, $550-$2,134; erling Products, $1,453-$58,455; n Oil Co., $1,962-$13,908; Welch ape Juice Co., $3,068-$5,520.

## Advertisers Urged To Use Television

Advertisers were urged to present evised programs at yesterday's eeting of the Sales Executives Club E. P. H. James, NBC sales pro- otion manager.

James said NBC is willing to do- te time for such shows with spon- rs having no expense other than e price of preparing the show.

## Telecast at Bike Race on Saturday

A six-day bicycle race will be tele- sed for the first time at 8:30 P. M. turday. NBC will set its television meras inside Madison Square Gar- n and film the event. This will be e second sports events to be tele- sed by NBC, the first being today's ooting of the Columbia-Princeton ll game from Bakers Field.

## To Televise Fashions

First fashion show to be televised om NBC tonight at 8 P. M., will ature Nancy Turner, WMCA's wo- n commentator. Miss Turner will scribe the show and explain each stume, to be displayed by nine mani- ns.

# ▶ Radio Personals ◀

JOHN RANDOLPH, free-lance actor, has joined WHN as announcer . . . Tommy Dorsey returns to New York May 24 . . . Grantland Rice becomes a member of "The Circle" May 21 . . . Burns and Allen will not stay in New York for the duration of their current series, but will return to the coast instead . . . Mary Martin will be the first guest vocalist on the Raymond Paige show May 24 . . . B. B. Musselman, manager of WSAN, Allentown, Pa., here on business . . . Gerald Cock, BBC director of television, returns to England today after visiting here for two weeks.

## F C C Calendar

WASHINGTON, May 16.—Federal Communications Commission has set hearings May 18 on the applications of KERN, Bakersfield, Cal., for change of frequency from 1,370 to 1,380 kilocycles and increase of power from 100 to 1,000 watts, and KOH, Reno, Nev., for change of frequency from 1,380 to 630 kilocycles and increase of power from 500 to 1,000 watts.

Other hearings scheduled by the commission are as follows:

May 25: Applications of Sentinel Broadcasting Corp. for a 620-kilocycle, 1,000-watt station at Salina, N. Y.; Civic Broadcasting Corp. for a 1,500-kilocycle, 100-watt station at Syracuse, and WHJB, Greensburg, Pa., for extension of time from day to unlimited and increase of power from 250 to 1,000 watts.

June 9: Application of Neptune Broadcasting Corp, for a 1,420-kilocycle station at Atlantic City, with 100 watts night, 250 watts day.

July 10: Applications of Samuel M. Emison for a 1,420-kilocycle, 100-watt station at Vincennes, Ind., and John F. Arrington, Jr., for a 1,230-kilocycle, 250-watt station at Valdosta, Ga.

July 11: Application of WCOV, Montgomery, Ala., for extension of time from day to unlimited.

Application for a construction permit for a new 1,500-kilocycle station, with 100 watts power night, 250 watts day, has been filed with the commission by Frank R. Pidcock, Sr., Moultrie, Ga.

## Hoey Back on Radio

BOSTON, May 16. — Fred Hoey, whose fans instituted a high pressure campaign to have him reinstated on the Yankee network when he was replaced by Frankie Frisch after 12 years of sports broadcasting, is back on the air with a new sponsor, broadcasting sports summaries over WBZ, Boston, and WBZA, Springfield.

## P.G. Serial Expands

Procter & Gamble will add 12 stations for "This Day is Ours", serial heard Mondays through Fridays at 1:45 P. M. Total for the network will be 35. P. & G. will have seven CBS programs when "Knickerbocker Playhouse" bows May 21.

## Mutual Broadcasts From Royal Escort

**Mutual yesterday became the first American network to present a broadcast in connection with the arrival in Canada of the King and Queen of England. Through a feed by CBC, Mutual at 2:30 P. M. presented a broadcast from the Canadian destroyer *Saguenay*, which met the *Empress of Australia* as it neared port.**

## Bard Named WNEW Special Events Head

Dick Bard has joined the staff of WNEW as director of special events and publicity. Bard is a former newspaper and radio man, serving with the San Francisco *Examiner*, Pittsburgh *Sun-Telegraph* and the A.P., and with CBS, NBC and WHN. He succeeds Larry Nixon, who resigned some months ago. Judy DuPuy, assistant publicity director, has been in charge of the department since Nixon's resignation.

## Lorillard Sets WHN Benchley Show Deal

P. Lorillard & Co. has entered into a new contract with WHN for the broadcasting of the Bob Benchley series starting May 23, when the program switches from CBS to NBC, Tuesdays at 9 P. M. Lennon & Mitchell placed the account.

Astor Theatre is advertising "Goodbye, Mr. Chips" over WHN in another contract; Ken Laboratories have purchased participation in the "Polly the Shopper" series, and J. W. Williams Co. has entered into participation in the "Early Bird" series.

## Facsimile Station Is Sought in Dallas

DALLAS, May 16.—WFAA, the Dallas *News* station, has asked F.C.C. permission to operate an experimental facsimile station to transmit a radio newspaper.

The station is the first unit south of St. Louis to request a facsimile permit. The station plans to purchase facsimile receivers and scatter them in homes and throughout the business section of the city.

## Burns and Allen Signed

George Burns and Gracie Allen have signed a contract for a new sponsor, Lehn & Fink, for Hinds Honey and Almond Cream. The show, which includes the entire Burns and Allen troupe and Ray Noble's orchestra. will start in October. The network is not definite yet. The comedians currently are completing a program for Chesterfield.

## To Air 'Liberty' Opening

CBS, NBC and Mutual will cover the world premiere of "Sons of Liberty," Warner historical short, which will be held May 21 in Chicago in connection with a dinner planned to raise funds for a statue of Hyam Salomon, upon whose career the film is based. Harry M. Warner, Crane Wilbur and John Litel will participate in the event.

# Banner LINES

NEW YORK station owners, announcers and commentators might paste the text of the Moffat bill in their hats for ready reference. The act, which has just become a law, affords radio reporters the same sort of protection from libel that a newspaperman receives. The act reads:

"Privileges of radio broadcasting in action for libel or slander. An action, civil or criminal, cannot be maintained against a reporter, announcer, commentator, speaker, editor, broadcaster or proprietor of a radio broadcasting station, facility or system, for the publication therefrom by radio broadcasting apparatus of a fair and true report, oral or written, of any judicial, legislative or other public and official proceedings, or for any title or headnote to such a report which is a fair and true title or headnote thereto.

"This section does not apply to a libel or slander contained in any other matter added by any person concerned in the publication; or in the report of anything said or done at the time and place of the public and official proceedings which was not a part thereof."

▼

*Young & Rubicam yesterday auditioned a summer replacement show for Phil Baker's series. Auditioneers included Milton Berle as M.C., authors Max Eastman and Ruth McKenna, Harry Hershfield, Jay C. Flippen, and Lyn Murray's orchestra.*

▼

**Another indication that television is here. Pease & Elliman, the realtors, constructing a new apartment house on Park Avenue, have contracted with RCA for the latter to install individual television outlets fed by a multiple antenna system. One of the drawbacks to television is the special antenna required.**

▼

Producers of the Lux serial, "Life and Love of Dr. Susan," put in a hectic weekend as a result of the delay in the arrival of the King and Queen of England. Notified by CBS that the afternoon time of the serial would be taken up by broadcasts of the Royal couple's arrival in Canada, the cast went their respective ways. Then came notice of the delayed arrival of the King and Queen, and the telephone and telegraph wires burned. Eight of the nine actors due in the studio for the broadcast were sucessfully reached—all save "Dr. Susan," who couldn't be located.

—JACK BANNER

## Boyer Off for Summer

Charles Boyer, star of the "Woodbury Playhouse" series on NBC, will leave the program for the summer, effective July 2, and replacing him will be Jim Ameche, brother of Don, and Gale Page, who will be featured until the return of Boyer.

## Expand Short-Wave

CBS short-wave department has expanded its schedule to include broadcasts to Europe in German, French and Italian. Each broadcast will be 10 minutes in duration.

# ROSE OF WASHINGTON SQUARE

**HELD FOR**

**3RD WEEK**

**ROXY N. Y.**

*And everything's "ROSY" in:*

| | |
|---|---|
| BALTIMORE<br>(in 2nd smash week) | CHARLOTTE |
| SPRINGFIELD, Ill. | KANSAS CITY |
| ST. LOUIS | SAN FRANCISCO |
| PROVIDENCE | MEMPHIS |
| BUFFALO | BRIDGEPORT |
| WATERBURY | SPRINGFIELD, Mass. |

*and everywhere else!*

**IT'S 20TH AGAIN, SMASHING THROUGH WITH THE BIG SUMMER HITS!**

20th CENTURY FOX
THE KEYSTONE
OF YOUR FUTURE

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

2) 45. NO. 96 NEW YORK, THURSDAY, MAY 18, 1939 TEN CENTS

## Fund Drive Is 15% Ahead Of Last Year

### ilm Division Focusing On Exhibitors

Cash contributions and pledges reived by the Film Industry Division the Greater New York Fund, in e campaign under way, total 15 r cent more than the amount reived last year. Last year's contribuons were about $63,000.

This year's quota is $100,000, and e committee, of which J. Robert ubin, M-G-M general counsel, is the ad, is intensifying its efforts for e remainder of the campaign, which ds May 31.

Employe as well as employer conbutions are important in the drive.

At a meeting of group chairmen in ubin's office yesterday, he said that hile generous donations have been ceived, the division is determined to ach its quota. Many of the large ntributors are increasing their origal donations.

During the remainder of the camign, an effort will be made to obtain creased participation in the Fund independent circuits and individual hibitors.

The group chairmen at yesterday's

(Continued on page 2)

## llied to Stay Till It Clears Business

MINNEAPOLIS, May 17.—W. A. effes, national Allied convention airman, said today that the indedent exhibitors' referendum on the de practice code and other controsial questions "will likely make it cessary to extend the convention o days." It is scheduled here June to 15.

Steffes included Ed Kuykendall, esident of the M.P.T.O.A., among se who would want to "sound off" length. Kuykendall has not yet icated he will attend.

Said Steffes: "We will keep the vention going all summer if necesy to thrash out our problems."

### Film Groups Merge

**Associated Film Audiences and Films for Democracy, the organization from which Walter Wanger recently resigned because of its refusal to take a stand against Communism, have merged.**

### Movietone Sets Up Hague Quarters

**Truman H. Talley, producer of Movietone News, released by 20th Century-Fox, this week set up newsreel headquarters in The Hague, Holland. As neutral territory, this will be a clearing house for footage resulting from any conflict in Central Europe.**

**This is said to be the first time any newsreel has had any direct representation at The Hague, which heretofore was covered on assignment from Paris.**

**Talley arrived in Paris yesterday to conduct a meeting of Movietone's European staff and early next week will go to Spain to re-establish newsreel coverage there.**

## Burhorn, Limerick Ampa Guests Today

A special meeting of Ampa in honor of the Quigley Grand Award winners, John Burhorn and George Limerick, today at the Hotel Astor, will feature a round table discussion led by the visiting theatremen on home office exploitation, publicity and advertising aids, according to Paul Lazarus, Jr., president.

Among theatremen expected to attend are delegations from Loew's, Skouras, RKO, Randforce, in addition to groups from Columbia, United Artists, M-G-M, Universal, Monogram, Republic, Warners and 20th Century-Fox.

Yesterday's entertainment program

(Continued on page 2)

## Ontario Censors Lenient, Ban Only Two Films in Year

TORONTO, May 17.—Only two features were banned by the Ontario Board of Moving Picture Censors during the fiscal year ending March 31 last, according to the official report of Chairman O. J. Silverthorne. A total of 2,681 subjects of all lengths were reviewed with eliminations ordered in 380.

One of the banned features was Russian, while several European pictures were subjected to considerable alteration before approval, two of these being from Poland and two from Germany. Propaganda rather than indecency was a major problem of the board.

Regarding complaints against gangster pictures, Silverthorne declared that the board was more concerned with certain individuals whom he classed as "national gangsters" who were threatening world peace and security.

### 'Chips' Has Strong Box Office at Astor

"Goodbye, Mr. Chips" started strong at the Astor with capacity houses for the first two days. Almost 6,500 admissions were paid Tuesday and an equal amount yesterday was indicated.

"Union Pacific" grossed an estimated $47,000 in its first week at the Paramount. "Only Angels Have Wings" drew an estimated $78,000 at the Music Hall. Both are held over.

"Calling Dr. Kildare" took an esti-

(Continued on page 7)

## U. S. Firms Maintaining Gains in Central America

By SHERWIN A. KANE

American film distributors have not lost ground in Central America and Mexico despite the fact that recent Department of Commerce reports in that territory show that Hollywood product accounts for 70 per cent of the total used as compared with 95 per cent several years ago. The explanation, according to A. L. Pratchett, Paramount manager for Central America and Mexico, who arrived in New York by plane yesterday, is that the market has experienced so great a growth that Hollywood's share of it is more extensive than ever.

"Obviously, it is better to have 70 per cent of $200 than 95 per cent of $100," is the way Pratchett explains it.

Much of the growth of the Central American and Mexican film market can be attributed to native-made product and other Spanish language pictures. These have won new audiences for the motion picture among people who had no interest in American films and were unable to read the Spanish subtitles.

By way of example of what is happening to the south of us, he reported that the Collosso, a 5,200-seat house, was opened recently in Mexico City and the Colonial, now under construction there, will seat 7,000, or 800 more than the Music Hall here.

## Seek to Bar U.S. Evidence In Trust Suit

### Defense Aims to Force Government's Hand

Defense attorneys at a conference yesterday decided to make "minimum and only reasonable" demands for further details in the Government anti-trust suit. Motion will ask that the Government submit a further bill giving all details required in the original order of Federal Judge William Bondy.

In the event the particulars are not supplied, defense counsel will insist that the Government be precluded from offering any testimony on such points.

Present strategy is to ask for only those items which the defense feels it is absolutely entitled to and thus force the Government's hand.

Judge Bondy has indicated he will withhold his decision on a Government motion to be excused from naming witnesses until the defense motion is filed.

Austin C. Keough, Paramount vice-president, filed an affidavit yesterday with Judge Bondy denying the Government's assertion that Paramount had retaliated against witnesses and participants in anti-trust suits.

Keough specifically referred in his affidavit to the statement of Special Assistant Attorney-General Paul Williams, to the effect that Keough had branded a witness in a previous suit as an "ungrateful customer" and that

(Continued on page 7)

### Blumberg to Spend Summer on Coast

Nate J. Blumberg, Universal president, will leave for the coast late next week to spend most of the summer at the studio. He will go to Toronto next Thursday with W. A. Scully, general sales manager, and F. J. A. McCarthy, eastern sales manager, to attend the company's Canadian sales meeting and will go to the coast from there.

J. Cheever Cowdin, Universal board chairman, who has been on the coast for the past two months on a combination business and vacation trip, is expected back in New York on Monday. He will be accompanied by Anthony Petti, his home office assistant. Cowdin may leave for Europe early in June on a business trip of a month or six weeks.

# Fund Drive Is 15% Ahead Of Last Year

(*Continued from page 1*)

meeting were Ned E. Depinet, vice-president of RKO, in charge of distributing companies; Ben S. Moss, exhibitors, and Ralph I. Poucher, Consolidated Film Industries, representing H. J. Yates, in charge of laboratories. The fourth member is Herman Robbins, National Screen Service, head of the allied and accessories group.

Columbia Broadcasting System has contributed $10,000 to the Greater New York Fund. Contributions of the other radio networks and the New York stations are unreported.

## *Burhorn, Limerick Ampa Guests Today*

(*Continued from page 1*)

for the winners opened with a luncheon by International Projector Corp., hosts being Herbert Griffin, vice-president, and Arthur E. Meyer, general sales manager, followed by an inspection trip through the New York plant. For the afternoon, W. G. Van Schmus, managing director of the Music Hall, arranged a backstage tour of the theatre. S. Barret McCormick, advertising director of RKO, was host at a theatre party to see "Abraham Lincoln," the day's program ending with a tour of Greenwich Village, sponsored by Mort Blumenstock, Warner's eastern advertising manager.

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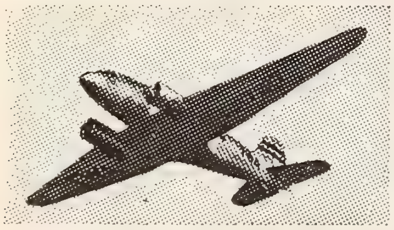

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# *Purely Personal*

HERMAN WOBBER, 20th Century-Fox general sales manager, left England on the *Queen Mary* yesterday, due in New York Monday.

•

LOUIS PHILLIPS of the Paramount legal department is in Chicago in connection with anti-trust litigation against the company there. He is expected back in 10 days.

•

MAX GORDON and HARRY GOETZ leave for the coast tomorrow to produce RKO's "Abe Lincoln in Illinois." Last night they were guests of honor at a party at the Gay Nineties Club.

•

H. M. ADDISON, Loew's division manager in New England, visited here this week.

•

JUAN PULIDO, Spanish baritone, and his wife, DALIA INIGUEZ, Cuban interpretive artist, are due today from a South American tour on the *Chiriqui.*

•

JOE PENNER, returned from two weeks in Bermuda, is spending a few days in New York before returning to the RKO Studios.

•

E. K. O'SHEA, E. I. LOPERT, ARTHUR KRIM, ROBERT MILTON, CHARLES REAGAN, ARTHUR FRIEND lunching at Sardi's yesterday.

•

RONALD REAGAN has been signed to a new contract by Warners. He will continue to play leads in the "Secret Service" series.

•

RUBY NEWMAN and his band will begin a personal appearance engagement at the Strand tomorrow.

•

MARY PICKFORD is accompanying MURRAY and MRS. SILVERSTONE to New York. They are expected here on Saturday. L. J. SCHLAIFER, United Artists vice-president, is not expected in New York until Monday.

•

MONTAGUE MARKS, financial associate of DOUGLAS FAIRBANKS, SR., plans to leave New York for the coast tomorrow or Saturday. He arrived from England early this week.

•

MR. and MRS. DOUGLAS FAIRBANKS have again postponed their departure for Europe and are remaining in New York a bit longer.

•

ERICH POMMER, British producer, has deferred his sailing from England to May 24 on the *Normandie,* scheduled to arrive here May 29.

•

DORITA NORBY, singer sent by the Argentine government for opening of the Argentine Pavilion at the World's Fair, is in town with ERMINIO JIMENEZ, her accompanist.

•

MRS. ELIAS COMPTON, "American Mother of 1939," has received a certificate of honorary membership in the Hardy Family clubs, signed by LEWIS STONE.

•

Y. FRANK FREEMAN, Paramount vice-president, was host yesterday in Hollywood to officers of *H.M.S. Orion,* British cruiser, on a goodwill visit to Southern California.

## *Form Newsreel Club In Radio City House*

Rockefeller Center Newsreel Club has been formed by Major A. G. Rudd, general manager, to stimulate attendance among the Center's tenants at the newsreel house in the AP Building.

The promotion takes the form of a club with membership cards which admit the bearer for 15 cents up to 3 P.M. every day except Saturday. A letter, addressed to tenants, points out that busy executives can keep informed and relaxed by an hour's attendance at the house and makes recipients charter members of the club.

## *Loew Dismissal Routine*

Discontinuance of the Wilmington stockholders' suit brought against Loew's was a formality, it was learned here yesterday. The same issues were involved in the New York suit, and two of the three plaintiffs, Hanna W. Goldstein and Louis Susman, were also plaintiffs in the original New York action. Suit brought by Arnold Herrmann continues.

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# Only One UA Film Set for Music Hall

"Captain Fury" may be the last United Artists picture to play the Music Hall for some time to come. The company's next two releases, "Four Feathers" and "Music School," although not definitely dated yet, are expected to be booked into the Riv[illegible] to follow "The Mikado," which ope[illegible] there next week. "Fury" is expected to follow "Only Angels Have Wings" at the Music Hall.

United Artists advertising and publicity department is mapping campaigns now on the Korda and Goldwyn pictures. Fact that work is in progress on "Music School," Goldwyn's next, indicates that the producer's breach of contract suit against United Artists has not cancelled his current releases from the company's schedule.

The Goldwyn suit, however, is regarded as having brought about a delay in the start of Douglas Fairbanks, Sr.'s producing activities. The deal between Fairbanks and United Artists was attacked in the Goldwyn action, as a result of which there is a possibility that Fairbanks may not start production until the Goldwyn litigation has been decided.

## *Betting Bill Passed; Voters Act in Fall*

ALBANY, May 17.—The Dunnigan pari-mutuel betting bill passed the Assembly today, 77 to 69, thus sending the issue to the electorate in November.

The Senate's defeat of the Mitchell-Coudert ticket broker bill, providing a ceiling of 75 cents, may possibly be overridden before adjournment which is expected Saturday.

It is doubtful whether the housing bill will be amended to delete the levy on outdoor advertising. Passage of the sales tax measure also looms as doubtful.

## *Smith in New U. A. Post*

Guy Croswell Smith, who was appointed United Artists manager in Cristobal, Canal Zone, recently, sailed on the *Quirigua* yesterday to take over his new post. Smith, a former U. A. manager in France, succeeds Paul Wir, resigned.

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DAILY
(*Registered U. S. Patent Office*)

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Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; Colvin Brown, vice-president and treasurer

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# 'Dodge City' Does $14,400 In Twin Cities

MINNEAPOLIS, May 17.—"Dodge City" grossed $8,700 in eight days at the State here.

In St. Paul "Dodge City" again outdistanced rivals, getting $5,700 at the Paramount.

Estimated takings for the week ending May 9:

*Minneapolis:*

**"Blackwell's Island" (W. B.)**
**"Winner Take All" (20th-Fox)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,400. (Average, $1,500)
**"Dark Victory" (W. B.)**
CENTURY—(1,600) (25c-40c) 7 days. 2nd week. Gross: $4,000. (Average, $4,000)
**"Hound of the Baskervilles" (20th-Fox)**
GOPHER—(990) (25c) 7 days. Gross: $3,200. (Average, $2,500)
**"The Story of Vernon and Irene Castle" (RKO)**
ORPHEUM—(2,900) (25c-40c) 8 days. Gross: $5,300. (Average, $4,800)
**"Dodge City" (W. B.)**
STATE—(2,300) (25c-40c) 8 days. Gross: $8,700. (Average, $4,400)
**"Professor Mamlock" (Amkino)**
TIME—(290) (25c-35c) 7 days. Gross: $600. (Average, $700)
**"Three Smart Girls" (Univ.)**
**"Mother Love" (Foreign)**
WORLD—(400) (25c-55c) "Girls," 4 days. 3rd week, "Love," 3 days. Gross: $800. (Average, 1,400)

*St. Paul:*

**"I'm from Missouri" (Para.)**
**"Sergeant Madden" (M-G-M)**
ORPHEUM—(2,000) (25c-40c) "Missouri," 4 days, "Madden," 3 days. Gross: 2,500. (Average, $3,200)
**"Dodge City" (W. B.)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,700. (Average, $4,000)
**"Three Smart Girls Grow Up" (Univ.)**
RIVIERA—(1,000) (25c) 7 days. Second week. Gross: $2,500. (Average, $1,800)
**"King of Chinatown" (Para.)**
**"Twelve Crowded Hours" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,400. (Average, $1,500)
**"Streets of New York" (Mono.)**
WORLD—(400) (25c-35c) 7 days. Gross: $700. (Average, $700)

## *Indianapolis Gives 'Pacific' Big $9,000*

INDIANAPOLIS, May 17.—"Union Pacific" drew a smash $9,000 at the Circle. "The Hardys Ride High" and "The Kid from Texas" took $10,500 at Loew's.

Estimated takings for the week ending May 12:

**"Dark Victory" (W. B.)**
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,800. (Average, $2,500)
**"Union Pacific" (Para.)**
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $9,000. (Average, $5,500)
**"The Hardys Ride High" (M-G-M)**
**"The Kid from Texas" (M-G-M)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $10,500. (Average, $7,000)
**"Chasing Danger" (20th-Fox)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Wayne King Band Show. Gross: $12,200. (Average, $8,000)

## *Photo-Crime Shorts*

HOLLYWOOD, May 17. — Leonard Goldstein today consummated a deal with "Look" magazine for production rights to its photo-crime feature and will produce a series of shorts.

## *White Cuba Manager*

Herbert White has been named 20th Century-Fox manager for Cuba. He has been managing the Trinidad branch, and will be succeeded there by James B. O'Gara.

# *Hollywood Previews*

## *"The Girl From Mexico"*

*(RKO)*

HOLLYWOOD, May 17.—"The Girl from Mexico" was built for laugh purposes. Everything in it, all of which is elementary comedy and much of which is slapstick, is farce that tickles the funny bone. Due to the facile manner in which Lionel Houser prepared the original story and collaborated with Joseph Fields on the screenplay, the spirited manner in which Lupe Velez, Donald Woods and Leon Errol as well as the competent support went about their work and the good use Leslie Goodwins made of timing in spotting gags and situations, the show is amusement that didn't need a lot of money or the services of big names to carry it along.

Radio executive Woods, talent scouting in Mexico, digs up a singing sensation in Lupe Velez. Brought to New York, the fiery Latin, under the guidance of Errol goes for the big city in a big way. Her audition flops because she has lost her voice screeching and yelling at a baseball game and wrestling match. She finds it again, wins a night club singing job and attracts another radio sponsor.With farce comedy interludes, everything for a time goes according to the rule and letter of personal drama. Then Miss Velez decides the chiseling society girl, Linda Hayes, is not a suitable person to have such a suitor as Woods. Prodded by Errol, she steals Woods from Miss Hayes. Triumphant in marrying him, the firebrand cannot resist the temptation to indulge in a wild and wooly bit of hair pulling with Miss Hayes as the wedding party leaves the church.

Fun is the thing to sell here.

Running time 70 minutes. "G."*

G. McC.

## *"Code of the Secret Service"*

*(Warners)*

HOLLYWOOD, May 17.—This is a headlong stretch of action and adventure strictly in the serial tradition. Ronald Reagan is the hero of the fisticuffs, dashes, escapes and super-escapes, and Rosella Towne comes into the picture toward the end to furnish the necessary touch of romance. Eddie Foy, Jr , is in and out of it recurrently as the comedy relief.

Regan plays a U. S. Secret Service man sent on the trail of counterfeiters who have stolen authentic plates from the mint and are about to let loose upon the country a flood of undetectably spurious greenbacks. He trails them to Mexico, where most of the adventuring occurs, stopping at El Paso en route for a lusty brawl in which a murder occurs. The incidents, enough for a 12-chapter serial and the right kind, are too complicated and varied for minute synopsis.

It's a Bryan Foy production directed by Noel Smith from a screenplay by Lee Katz and Dean Franklin based on material compiled by W. H. Moran, ex-chief of the U. S. Secret Service. That origin seems a point to stress in exploitation.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

---

*"G" denotes general classification.*

# *New York Preview*

## *"Rangle River"*

*(J. H. Hoffberg)*

The action formula of western fare is followed adroitly in Zane Grey's story of ranching in the spacious herding areas of Australia where "Rangle River" was filmed. The essential and usual ingredients are included, fighting, hard riding, a light treatment of romance.

Victor Jory, Margaret Dare and Robert Coote are the principal players with George Bryant, Rita Pauncefort, Leo Cracknell and Cecil Perry in support. Clarence Badger directed.

Jory as foreman of an Australian cattle ranch is confronted with irrigation problems when the Rangle River runs dry because of a dam built by a rival rancher. The Rangle ranchers seek to remedy the situation without success. The plot is discovered in due time and the Rangle River again provides water for the cattle. Miss Dare, as the ranch owner's daughter, provides the love interest. Robert Coote offers refreshing comedy.

Running time, 72 minutes. "G."*

---

* *"G" denotes general classification.*

# 'Pacific' Gets $39,000 Take In Loop Bow

CHICAGO, May 17.—"Union Pacific" steamed into the Chicago and took $39,000. "Dark Victory" in a second Loop week at the Roosevelt garnered a good $12,200.

Estimated takings for the week ending May 10-13:

**"Hound of the Baskervilles" (20th-Fox)**
APOLLO—(1,400) (35c-55c-75c) 7 days. 3rd week. Gross: $4,000. (Average, $6,500)
**"Union Pacific" (Para.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Joe Sanders & Band. Gross: $39,000. (Average, $32,000)
**"Women in the Wind" (W. B.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $5,400. (Average, $6,500)
**"Spirit of Culver" (Univ.)**
**"Mystery of Mr. Wong" (Mono.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville & Revue. Gross: $12,000. (Average, $13,000)
**"Three Smart Girls Grow Up" (Univ.)**
PALACE—(2,500) (35c-55c-75c) 7 days. 2nd week. Stage: Vaudeville Revue. Gross: $16,300. (Average, $19,000)
**"Dark Victory" (W. B.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. 2nd week. Gross: $12,200. (Average, $11,000)
**"Let Us Live" (M-G-M)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,400. (Average, $12,000)
**"Lucky Night" (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $13,000. (Average, $15,000)

# 'Hardys' $15,600 Kansas City Lead

KANSAS CITY, May 17. — "The Hardys Ride High" and "Within the Law" took $15,600, at the Midland. "Union Pacific" to $10,700 at the Newman.

Estimated takings for the week ending May 9-11:

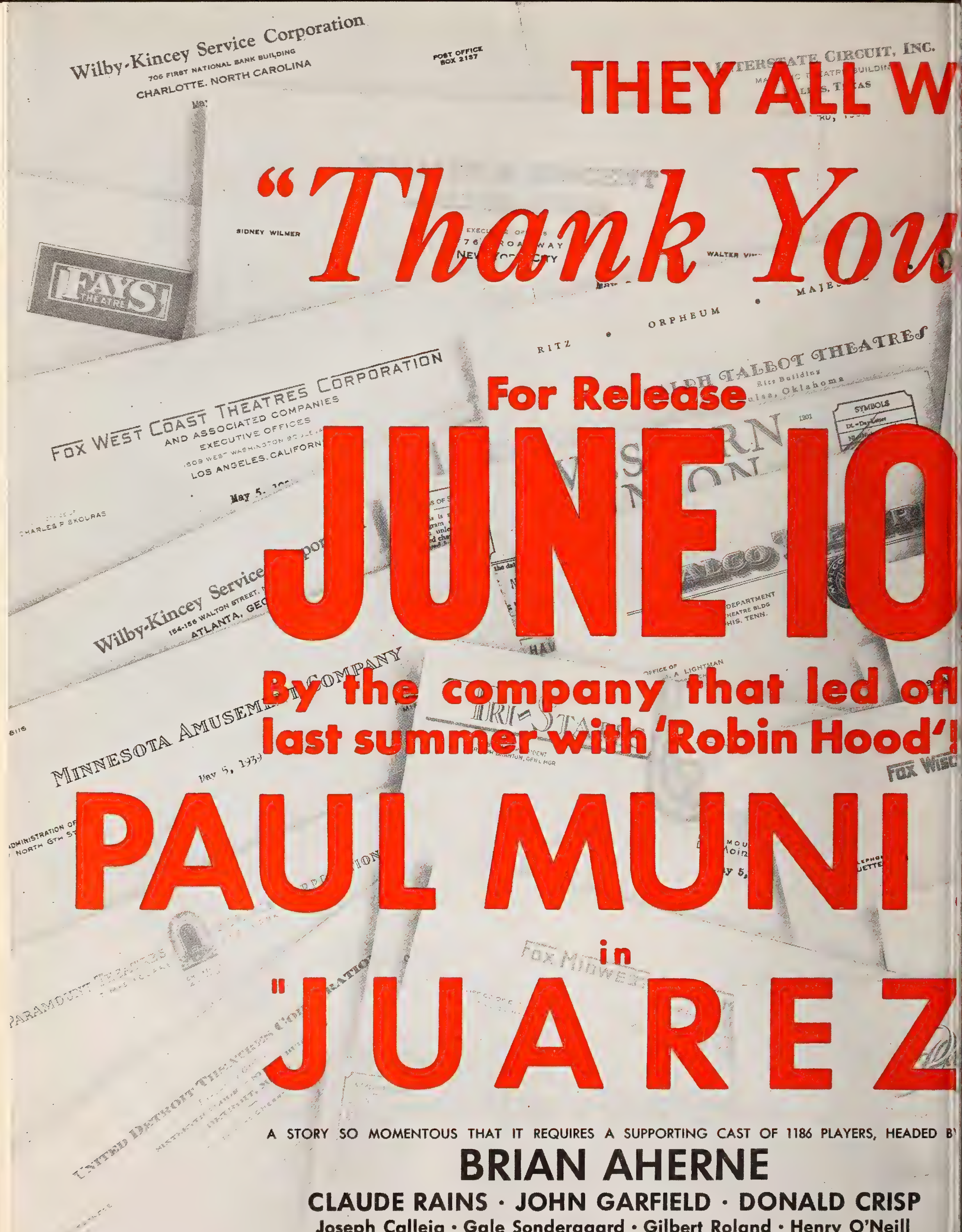
**"The Cisco Kid" (20th-Fox)**
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,900. (Average, $3,000)
**"The Cisco Kid" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)
**"Union Pacific" (Para.)**
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $10,700. (Average, $7,000)
**"The Hardys Ride High" (M-G-M)**
**"Within the Law" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $15,600. (Average, $11,500)
**"Man of Conquest" (Rep.)**
**"Swing, Sister, Swing" (Univ.)**
FOX TOWER—(2,200) (25c-40c) 7 days, 2nd week. Gross: $3,300. (Average, $5,000)

## *Schine Verdict Reserved*

JOHNSTOWN, N. Y., May 17.—Supreme Court Justice Ellsworth C. Lawrence has reserved decision in the action of Schine Theatrical Enterprises, Inc., against the Massachusetts Bonding Co. The circuit seeks to recover interest and counsel fees of $2,250.70, on a compensation claim paid in the death of William Brady, circuit projectionist who died as the result of burns suffered in a fire in the projection booth of a Glens Falls house.

## *Para. Signs Jones*

HOLLYWOOD, May 17.—Paramount has signed Allan Jones to a term contract, and will star him in "Victor Herbert," a story of the effect of the composer's music on the lives of a young couple. He is now playing in "Are Husbands Necessary."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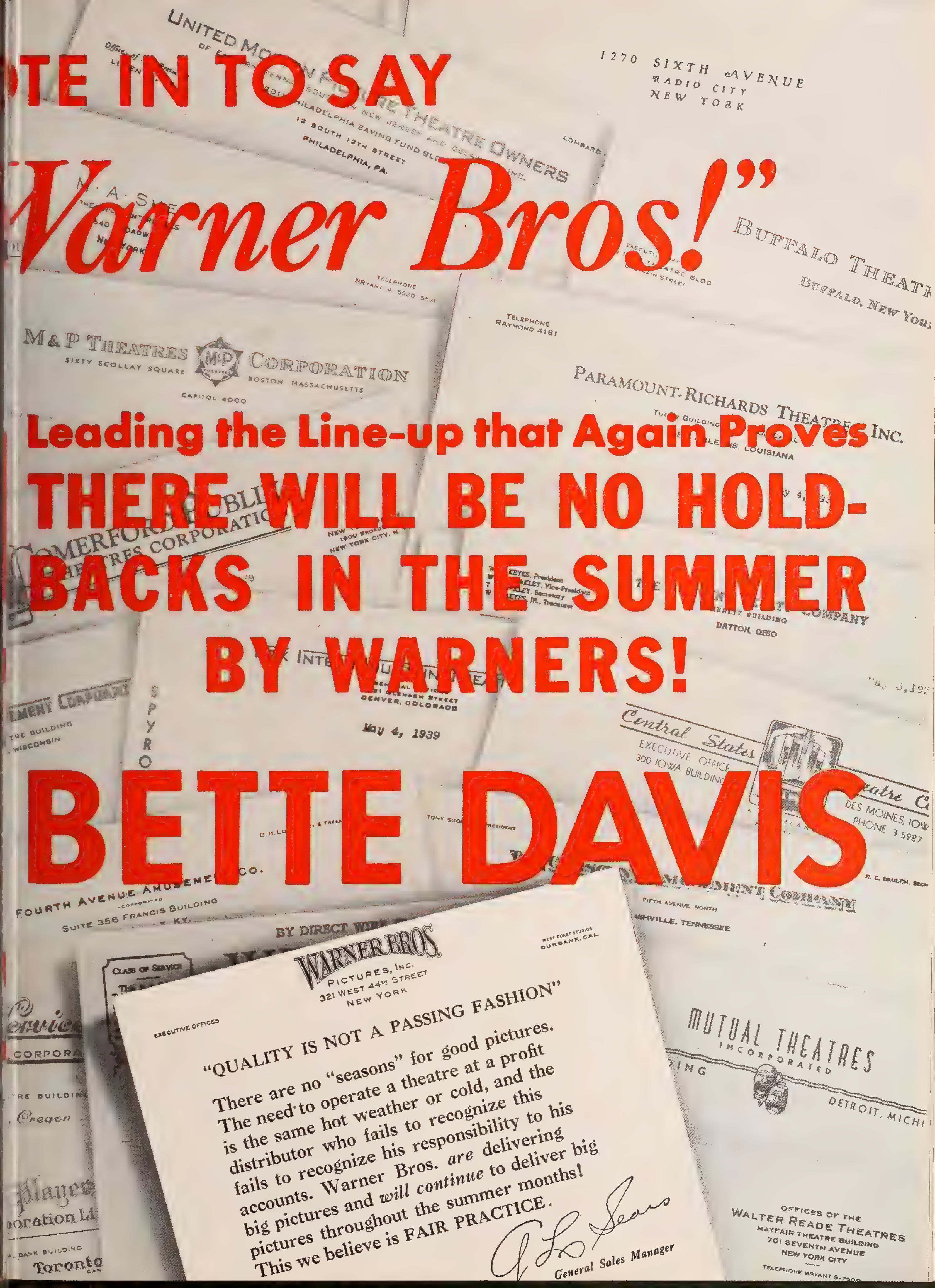
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# TE IN TO SAY

# Warner Bros!”

## Leading the Line-up that Again Proves

# THERE WILL BE NO HOLD-BACKS IN THE SUMMER BY WARNERS!

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WARNER BROS.
PICTURES, INC.
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NEW YORK

EXECUTIVE OFFICES

WEST COAST STUDIOS
BURBANK, CAL.

"QUALITY IS NOT A PASSING FASHION"

There are no "seasons" for good pictures. The need to operate a theatre at a profit is the same hot weather or cold, and the distributor who fails to recognize this fails to recognize his responsibility to his accounts. Warner Bros. *are* delivering big pictures and *will continue* to deliver big pictures throughout the summer months! This we believe is FAIR PRACTICE.

G. L. Sears
General Sales Manager

*Another Big Scoop for*

AMPA

The Quigley
Grand Award Winners

**JOHN BURHORN**
OF SOUTH CHICAGO, ILL.

**GEORGE LIMERICK**
OF ENID, OKLAHOMA

leading a discussion
on the subject

**"HOME OFFICE AIDS TO THE EXHIBITOR"**

•

Tariff:
$1.25 FOR MEMBERS
$1.50 FOR NON-MEMBERS

•

HOTEL ASTOR
12:45 p. m. Today

## Coast Production Shows Gain With 45 Films in Work

HOLLYWOOD, May 17.—Production spurted to 45 pictures shooting, as 11 started and seven finished. Twenty-three are being prepared, and 59 are being edited.

Started were: "A Woman Is the Judge," "Mounted Police No. 2," Columbia; "Babes in Arms," M-G-M; "Double Dyed Deceiver," Paramount; "The Spellbinder," RKO; "The Fighting Irish," "Oklahoma Outlaws," Republic; "Chicken Wagon Family," 20th-Century-Fox; "The Underpup," "Dames," Universal; "The Knight and the Lady" (tentative), Warners.

In addition to these, shooting are: "Mr. Smith Goes to Washington," "Golden Boy," "Parents on Trial," "Coast Guard," Columbia; "The Real Glory," "Music School," Goldwyn; "On Borrowed Time," "Stronger Than Desire," "Lady of the Tropics," "The Women," M-G-M; "Heaven on a Shoestring," "The Star Maker," "Ruler of the Seas," "Disputed Passage," "Nightwork," "Our Leading Citizen," Paramount; "Way Down South," Principal-RKO; "Memory of Love," "Career," "Timber Stampede," RKO; "Mickey the Kid," "In Old Caliente," Republic; "Gone with the Wind," Selznick; "Charlie Chan at Treasure Island," "The Rains Came," "Elsa Maxwell's Hotel for Women," 20th Century-Fox; "The Phantom Creeps," "Modern Cinderella," Universal; "Winter Carnival," Wanger; "Dust Be My Destiny," "Not Wanted," "Nancy Drew and the Hidden Staircase," "Dead or Alive," Warners; "Miracle of Main Street," Arcadia-Grand National.

### *Ontario Quiz Aimed At Theatre Prizes*

TORONTO, May 17.—Gordon Conant, Attorney General of Ontario, has placed new restrictions on lotteries or games or chance by forbidding prize stunts for charity by service clubs and similar organizations.

It is reported that the Ontario Government is quietly investigating gift night and quiz contest stunts staged by theatres with a view of banning these prize inducements under the anti-premium law.

### *Heywood-Wakefield Move*

Heywood-Wakefield Co. will open larger offices and showroom at 1 Park Ave., tomorrow, when a housewarming will be held. Officials of the company from Gardner, Mass., as well as local exhibitors and circuit heads, are expected.

### *Letter to Exhibitors*

HLLYWOOD, May 17.—Jack L. Warner, head of Warner production, has addressed a letter to virtually all of the country's exhibitors, calling their attention to "A Family Affair," which will be released in July.

### *Calgary Tops RKO Drive*

RKO's Calgary office continues to lead the company's 38 branches at the close of the fourteenth week of the George Schaefer sales drive.

### *Beauty Lecture*

**New York women will get beauty advice directly from Perc Westmore, head of Warner's makeup department at tomorrow's matinee of "Juarez" at the Hollywood. Women attending will be eligible to send photos to Westmore in Hollywood and receive suggestions for facial charm.**

## B-K Hearing Opens; U. S. Gets Records

CHICAGO, May 17.—Hearing of the Government's anti-monopoly sui against the Balaban & Katz circui and other majors started today before Master in Chancery Edgar Eldredge

The opening session was devoted to the introduction of documents subpoenaed by the Government. It is believed that from 10 days to two months will be necessary before al records are introduced.

Attorneys for all companies were present as Robert L. Wright of the U. S. Attorney General's office called for the documents which the Government will examine in preparing it case.

Postponement of the Adelphi, or the independents, case against B. & K. and the majors will be for approximately 30 days. Attorneys for the independents are occupied with another case thus necessitating the delay.

### *Legion Approves 9 Of 14 New Pictures*

National Legion of Decency for the current week has approved 14 of 1 new pictures reviewed and classified nine for general patronage and five for adults. One was classed as objectionable in part and two were condemned. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Gracie Allen Murder Case," "Law Comes to Texas," "Nancy Drew, Trouble Shooter," "Panama Patrol," "Singing Cowgirl," "Six-Gun Rhythm," "Skanor-Falsterbo" (Swedish), "Spoilers of the Range," "Tell No Tales." Class A-2 Unobjectionable for Adults: "Crime in the Maginot Line," "Dead Men Tell No Tales," "The Eagle and the Hawk," "Rose of Washington Square," "Invitation to Happiness." Class B, Objectionable in Part: "Escape from Yesterday" (French) Class C, Condemned: "Indiscretions" (French), "Wages of Sin."

### *Circuit Meeting Today*

KANSAS CITY, May 17.—Commonwealth Amusement Corp. is holding three regional meetings for its managers, the first tomorrow at Great Bend, Kan.; the second May 23, at Columbia, Mo.; and the third May 25, at Hollister, Mo.

### *Quits Monogram Post*

KANSAS CITY, May 17.—L. F. Durland has sold his interest in the Monogram exchange here, and will resign as manager. He will be succeeded by Douglas Desch, resigning from Grand National. Sol Hankin will take over Grand National here.

# oronto Puts Tighter Rules on Alien Films

ORONTO, May 17. — Censorship lations on imported foreign lan- ge films have been tightened by al censors.

A published protest against "Alex- der Nevsky" attracted wide atten- n and audiences have shown resent- ent against other alien films. To oid further inter-racial feeling, cen- rs will be more stringent in passing foreign product.

Although "Club de Femmes" has e approval of Quebec and Ontario nsors, it has been ordered with- awn by W. J. Major, Manitoba torney general, who regards it as moral.

### azi Films Under nquiry In Canada

MONTREAL, May 17.—The federal vernment at Ottawa is investigating e showing of Nazi propaganda films British Columbia.

The government's attention to a ries of lectures and films being con- ucted by an Austrian Nazi was called Grote Stirling, Conservative. He id the film consists chiefly of "Heil itler" yells and singing of the Ger- an Socialist anthem. He reported blic resentment great.

In Vancouver police are searching r a German film propagandist, re- rted to be concentrating his activi- es in small towns of Okanagan val- y and Nelson regions.

## Chips' Has Strong Box Office at Astor

(Continued from page 1)

ated $20,000 at the Capitol. "It's Wonderful World" goes in today. t the Globe, "King of the Turf" ew an estimated $4,800. "Blind Al- y" will start there Saturday after e week for "Zenobia."

"The Kid from Kokomo" goes into e Strand tomorrow. Opening date r the "Mikado" has been moved ck to June 1 at the Rivoli. "With a mile," (French M. P. Corp.) is held er for a second week at the World.

During the World's Fair, 20th Cen- ry-Fox has arranged for its films to ve world premieres at the Roxy. hose scheduled are "Young Mr. Lin- oln," "Susannah of the Mounties," Stanley and Livingstone," "Second iddle," "The Rains Came," a second hirley Temple film based on the Blue Bird," "The Grapes of Wrath," Drums Along the Mohawk," "Little ld New York," "Hollywood Caval- de," "Say It With Music" and "The ark of Zorro."

At the Paramount, next films will "Invitation to Happiness," "Man bout Town," "Jamaica Inn," "Beau este," "Our Leading Citizen" and The Star Maker."

### "Fury" Starts Strong

Topping the gross of any picture to ay the house in the past two years, al Roach's "Captain Fury" grossed ,456 on its opening day Tuesday at e California, San Diego, it is re- rted by United Artists.

## In the Courts

John S. Stover, attorney for Ernest W. Stirn, holder of 1,234 shares of Class A RKO stock, filed appeal with the Circuit Court of Appeals yesterday and listed thirteen arguments supporting his contention that the RKO reorganization plan is invalid. Arguments will be heard during the week of June 5.

### Vedis Films Denied Writ; Trial on May 29

Supreme Court Justice Miller yesterday denied an application of L. Lawrence Weber for an injunction to restrain Vedis Films, Inc., on Lenarch, Inc., owner of the Filmarte Theatre, from exhibiting the film, "Trois Valses," and ordered trial for May 29. Weber claims infringement.

### Times Square Theatre, Inc. Loses Plea to Kill Suit

Supreme Court Justice Shientag yesterday denied application of Times Square Theatre Co., Inc., owner of the Apollo, to dismiss a $25,000 suit brought against it by Isidore Masor, and upheld the sufficiency of the complaint. Masor, according to the complaint, was assaulted by theatre patrons whom he had sought to quiet while celebrating New Year's Eve.

### Appeal Dismissal of Moredall Realty Case

Appeal has been filed by Wendel Foundation from the dismissal of its suit against Moredall Realty Corp., operators of the Capitol. Action involves a lease under which Moredall agreed to pay income taxes, in addition to the stipulated rental to the late Ella Wendel. After Miss Wendel's death, the land went to a charitable foundation which is exempt from income taxes and Moredall contends that it is no longer obligated to make the extra payments.

### Sues Disney on Alleged Infringement of Patents

LOS ANGELES, May 17.—Alleging infringements of three of its patents, the Meinograph Process, Inc., of Detroit, has filed suit against Walt Disney and Walt Disney Productions, Ltd., in Federal Court, demanding an accounting of profits and an injunction to restrain further use of the color processes.

### Margaretta Tuttle Sues Metro, Warners on Title

LOS ANGELES, May 17.—Suit over rights to a title of a literary work has been filed in Federal court by Margaretta Tuttle, novelist, seeking $100,000 damages from Loew's, Inc., Metro-Goldwyn-Mayer Corp., First National Pictures, Inc., and Warner Bros. Pictures, Inc., over a picture, "The Unguarded Hour," made by M-G-M in 1937.

### Charges Plagiarism of Story in "Rembrandt"

HOLLYWOOD, May 17. — Charging plagiarism of her story in the making of "Rembrandt," Elsie H. Hunt, scenario writer, has filed a $500,000 damage suit in Federal Court against United Artists Studios, Inc., London Film Productions, Inc., Alexander Korda, Samuel Goldwyn and Carl Zuckmayer, English writer.

# Britain's Tax Raises Film Rental Costs

LONDON, May 17.—At a meeting today of the London and Home Counties Branch of the Cinematograph Exhibitors' Association, E. J. Hinge, president, declared he had evidence that exhibitors already were being asked higher film rentals because of the increased film taxes.

Major A. J. Gale, C.E.A. treasurer, suggested that the distributors could and should bear the financial burden of the tax increases.

It has been indicated that newsreels will receive a tax rebate on all waste film not actually included in the finished print. This is considered a considerable concession. The trade deputation of protest will see Sir John Simon, Chancellor of the Exchequer, tomorrow.

## Theatrical Unions In Whalen Warning

New York Theatrical Trades Council, organization of theatrical unions, yesterday served an ultimatum on Grover Whalen that unless their demands were met shortly, they would take steps to force agreements. Negotiations between Nils T. Granlund, producer of the Congress of Beauty, and American Federation of Actors failed to attain agreement yesterday.

## Hope to Complete Pact By Saturday

**Efforts will be made to complete the arbitration provisions of the industry trade practice program and thereby achieve a final draft by Saturday, distribution executives said yesterday. The revised program upon completion will be submitted to exhibitor organizations.**

## Seek to Force U. S. Hand in Trust Suit

(Continued from page 1)

Paramount had refused to sell him products.

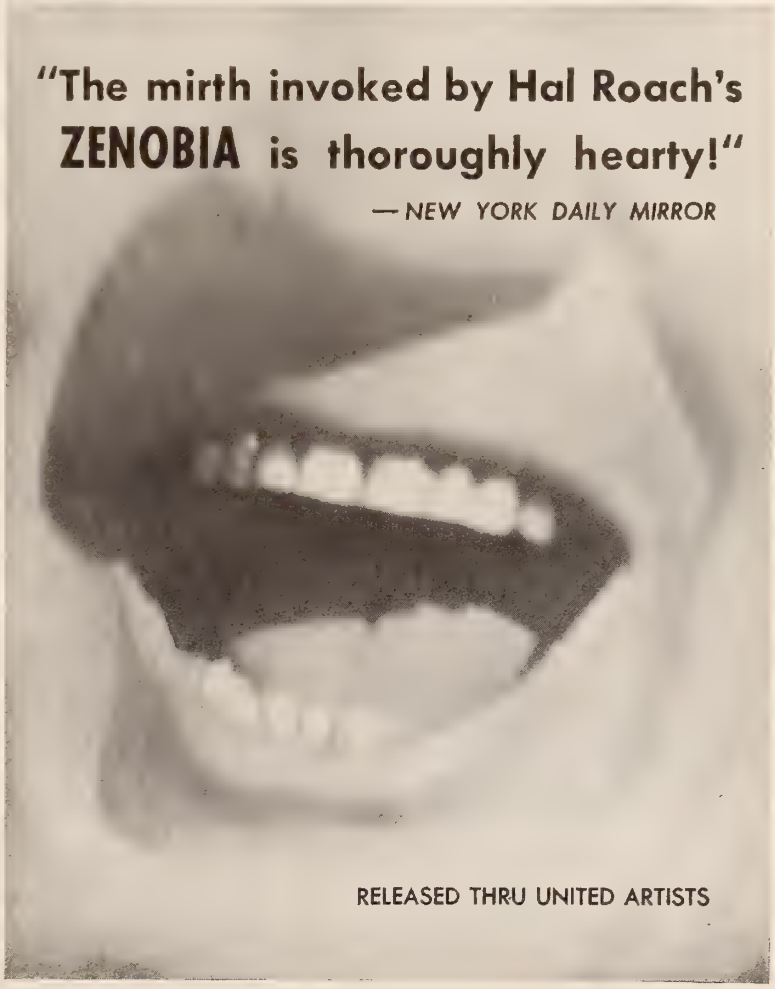
Williams had referred to Rubin Frels, a Texas exhibitor, Keough stated, but had omitted to read that portion of the testimony which explained Paramount's attiude.

In the 1930-'31 and 1931-'32 seasons, the affidavit continued, Frels had been licensed by Paramount, in spite of the fact that he owned a 50 per cent interest in competing theatres.

Frels, however, persisted in participating in and financing unmeritorious conspiracy suits against Paramount and other majors which were dismissed on trial, Keough declared, and Paramount did not wish to do business with an exhibitor of this type.

## Argue Censor Ban

ALBANY, May 17.—Appeal from the censorship ban on "The Birth of a Baby" was argued before the Appellate Division of the N. Y. Supreme Court today. Decision was reserved.



"The mirth invoked by Hal Roach's ZENOBIA is thoroughly hearty!"
— NEW YORK DAILY MIRROR

RELEASED THRU UNITED ARTISTS

# 'Conquest' Is $18,000 Lead, Philadelphia

PHILADELPHIA, May 17.—Best bill in a slow week was at the Fox, with "Man of Conquest" and Hugh Herbert, Ella Logan and the Eddie de Lange band taking $18,000. "Confessions of a Nazi Spy" took $16,000 at the Stanley. "Wuthering Heights" held up to $7,400 in its fourth week at the Aldine.

Estimated takings for the week ending May 12:

**"Wuthering Heights" (U. A.)**
ALDINE—(1,300) (32c-42c-57) 7 days, 4th week. Gross: $7,400. (Average, $8,160)

**"San Francisco" (M-G-M)**
ARCADIA—(600) (25c-42c-57c) 6 days. Reissue. Gross: $1,800. (Average, 7 days, $2,800)

**"Dark Victory" (W. B.)**
BOYD—(2,400) (32c-42c-57c) 7 days, 2nd week. Gross: $13,500. (Average, $14,000)

**"Midnight" (Para.)**
EARLE—(2,000) (26c-32c-42c) 7 days, 3rd run. Gross: $5,000. (Average, $8,000)

**"Man of Conquest" (Republic)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days (6 days stage). Stage: Hugh Herbert, Ella Logan, Eddie de Lange orch. Gross: $18,000. (Average, $16,000)

**"Return of Cisco Kid" (20th-Fox)**
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $2,800. (Average, $4,000)

**"Hardys Ride High" (M-G-M)**
KEITH'S—(2,000) (32c-42c-57c) 7 days, 2nd run, 2nd week. Gross: $3,200. (Average, $4,000)

**"Zenobia" (U. A.)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $3,500. (Average, $4,500)

**"Confessions of Nazi Spy" (W. B.)**
STANLEY—(3,700) (32c-42c-57c) 9 days. Gross: $16,000. (Average, 7 days, $14,000)

**"Back Door to Heaven" (Para.)**
STANTON—(1,700) (26c-32c-42c) 6 days. Gross: $4,000. (Average, 7 days, $7,000)

## *St. John Surrenders Republic Franchise*

HOLLYWOOD, May 17. — Floyd St. John has disposed of his distribution rights of Republic pictures in San Francisco to Republic Pictures Corp. of N. Y., effective May 19, a joint statement by James R. Grainger, Republic president, and St. John says.

Pending arrangements with a new franchise holder, the home office will operate the Los Angeles and San Francisco exchanges. Personnel of both offices will remain the same.

## *Montreal Houses to Close During Parade*

MONTREAL, May 17.—All first run theatres here will close tomorrow during the hours of the Royal procession to permit the staffs to see the King and Queen. Audiences will be issued return checks good until 6 P. M., to allow them to see the remainder of the shows.

## *Royalty Newsreels*

**Newsreel offices worked overtime last night getting out reels showing the arrival of British royalty at Quebec. The shots were included in the regular edition for local houses but were rushed by plane to out-of-town accounts.**

# *Radio Personals*

FRED RAPHAEL is the father of a new baby girl. He is program director of WHN. . . . Sammy Kaye's orchestra will be this week's feature on Mutual's "Show of the Week." . . . Laurette Taylor and the cast of "Outward Bound" will be the guests of Lisa Sergio on her "Column of the Air" over WQXR tomorrow. . . . Ruth Mix, daughter of Tom, will be interviewed by Parks Johnson and Wally Butterworth on the "Vox Pop" program Saturday.

## Orders Stations to Announce Payment

WASHINGTON, May 17.—The F. C. C. has issued a memorandum to all stations calling attention of all licensees to the stipulation in the Communications Act which requires that in cases where programs are paid for, this shall be announced during the broadcast.

The F. C. C. asserts that violations of the rule have been brought to its attention and insists upon compliance.

## *Anti-Fireworks Plea In Free Radio Disc*

A free transcription of a 10-minute program dealing with July 4 fireworks accidents is being offered to radio stations by the National Society for the Prevention of Blindness, New York.

## *Derby Telecast Set*

LONDON, May 17.—Three major theatres here, the Victoria, Tatler and Marble Arch Pavilion, will telecast the English Derby May 24 on large screens, using the Baird System.

# Local Hotels Delaying Use Of Television

New York hotels, with the exception of the Waldorf-Astoria, have not yet installed television receivers in their public rooms, a checkup reveals. The Waldorf has two receivers in operation.

The American Hotel Association states it has no knowledge of plans for installation of receivers in member hotels here. A canvass of the individual New York hotels brought the reply: "No receivers—yet."

The hotel managements are watchinging television's development, particularly from a program standpoint, and installation of receivers eventually will come as a "service" to guests. There is no chance, however, of television receivers being installed in individual rooms, according to the consensus of the managements.

## *Television All Over U. S. Seen by Cock*

Gerald Cock, director of television for the British Broadcasting Corp., who ended a month's stay here yesterday when he sailed on the *Aquitania*, predicted the ultimate spread of television over the United States.

"America has the youth, the energy and resources to make a go of television," he declared. He foresaw two years of "distress and tremendous expense" for television, however, but said that at the end of that time America will have established an important industry.

## *Dupont Off Air*

Dupont program, "Cavalcade of America," ends its CBS season the last week in May, and starting June 5, its time will be occupied by the Ethyl program, "Tune Up Time," with Andre Kostelanetz and Walter O'Keefe.

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## *Faster Radiophoto System by RCA*

**Commercial inauguration of a new system for the trans-Atlantic transmission of Radiophotos was announced yesterday by R.C.A. Communications.**

**The new system makes possible the sending of pictures and other graphic material i vastly improved detail wit transmission speeds three times greater than heretofore.**

**The system becomes available in time for the heavy traffic anticipated during the British royalty's visit to Canada and United States.**

## 'Town,' Burns-Aller Lose High Rating

Edward G. Robinson's "Big Town radio series and the Burns and Alle program have been replaced amon the first 10 most popular radio prc grams by the Kay Kyser and Fibbe McGee shows, the new report reveal Other changes show the Chase an Sanborn program and the Jack Benn show in slight declines, with the Lu "Radio Theatre" showing increase popularity.

The popularity ratings, in order, ar Chase and Sanborn, Jack Benny, Lu "Radio Theatre," Bing Crosby's Hou Kate Smith's series, the Major Bowe Amateur Hour, M-G-M "Good News program, Kay Kyser's "Kollege c Musical Knowledge," the Fibber Mc Gee series and Eddie Cantor.

## *Royal Broadcasts Changed in Ottaw*

MONTREAL, May 17.—CBS has ar nounced new plans for the Ottaw broadcast schedule for the Royal visi Their Majesties will remain in Ottaw for only two and a half days instea of four. Friday's Supreme Cou broadcast is being cancelled to repo the arrival of the King and Quee 11 A.M. to 12:30. On Saturday th trooping of the colors will be broac cast at 10:30 A.M.; Supreme Cou ceremony from 11:30 to 12:15 P.M The National Memorial unveiling wi be broadcast Sunday from 10:45 t 11:30 A.M.

## *New Morris Show Set*

"Guess Where?" quiz series sponsored over Mutual by the Phillip Morris Co., will be replaced with a ne series starting May 19. New sho will be a musical program, wit Johnny Green's orchestra, Ray Bloch' choir and Beverly Bel-Airs, a gi singing group. Title of the replacement series will be "Breezing Along. Milton Biow agency handles the account.

## *American Record Move*

Executive, sales and advertisin offices of the American Record Corp CBS company, will be moved ne week to new, enlarged quarters at th company's factories in Bridgepor Conn. Artists and repertoire depar ments are to remain in New York.

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)45. NO. 97 NEW YORK, FRIDAY, MAY 19, 1939 TEN CENTS

# ara. to Make )wn Trailers; Start in 1940

### ins Warners, M-G-M In Producing Plan

aramount will produce its own lers, starting in January, 1940. At st two types of trailers will be de, one for first run theatres and ther for subsequent runs.

aramount is the third company to in production and distribution of own trailers, Warners and M-G-M ing done so for several years.

n announcing the move the comy states that "the combined protion resources of the entire studio be available to turn out the type trailer we have in mind, and it is this reason that Paramount has ided that the task of making trailshould be concentrated within its n organization."

irst trailer to be made and disuted by the company will be for feature release of Jan. 5, 1940.

## Late Flashes

os Angeles, May 18.—Jeff Kibre, ority leader of Studio Technicians al 37, I.A.T.S.E., and his wife tofiled $250,000 suit against John elee, Frank Stickling and Harold Smith, International representas; Lew C. Blix, business represenve, and Detective Lieut. Leroy nderson. False arrest on criminal dicalism charge is basis of suit.

•

ontreal, May 18. — Theatres at o'clock tonight reported 50 per cent n after procession for the British alty. With midnight shows, busis was expected to soar 75 per cent.

•

ollywood, May 18.—Ted Bonnet been assigned to handle publicity Cecil B. DeMille. . . . Ingrid Bergn, Swedish player who appeared in edish version of "Intermezzo," will in Selznick International's film of e name.

•

artford, Conn., May 18. — Bill ulating bingo was further revised ay in the House to exclude theatres.

•

trike by Theatrical Managers, ents and Treasurers Union at the ee Bronx houses of the Moe Roseng circuit has been settled.

# Albany Vote Today On Admission Tax; Sales Levy Loses

Albany, May 18.—The Desmond-Moffit housing bill, authorizing a cent tax on theatre admissions of 50 cents and a graduated tax on higher admissions, has been placed on the special order of business for the Senate tomorrow. The legislature adjourns Saturday.

The anti-Bund measure, which prohibits theatres from permitting assemblage of persons wearing uniforms of foreign governments, is up for final approval tomorrow.

The Martin sales tax bill is admittedly doomed at this session. Its passage at a special session later is considered inevitable.

A delegation consisting of John Manheimer, executive secretary of the I.T.O.A., Bernard Brandt and others was here today to protest the sales tax bill. The industry generally in New York is opposed to the measure.

### Allied at Syracuse Protests Two Bills

Syracuse, May 18.—Members of the Syracuse unit, New York Allied, today wired their disapprovals of the sales tax bill and the housing bills to legislators in Albany.

The clearance situation in Binghamton and Syracuse was discussed. Three Binghamton exhibitors were present.

Members planning to attend the New York Allied convention are Rapley P. Merriman, regional vice-president; Ray Pashley, Norman Pearlman, Jack Karp and James Constanino.

## 100 Plan to Drop Duals in Michigan

Efforts to end double featuring in more than 100 theatres associated with Cooperative Theatres of Michigan, Inc., are under way as a result of evidence that at least 60 per cent of the patrons in the area prefer single features, officers, here from Detroit on a film buying and sightseeing trip, said yesterday.

In the party are Fred De Lodder, Jr., president of the Cooperative; Carl Buermele, manager; Barney Kilbride, treasurer; William H. Kaplan, Leo Wisper and Charles A. Komer.

Komer reported Cooperative members are being polled now on their attitude toward single features and that if complete accord is attained the entire organization will abandon duals.

He said that business in the Michigan territory is off about 40 per cent and that conditions are equally bad throughout the central area.

# U. S. ORDERED TO NAME WITNESSES

### Trust Developments

**Court orders Government to name anti-trust suit witnesses.**

**Department of Justice will not advise business on possible illegal effects of trade practice agreements, Murphy says.**

**Majors seek further details and new extension of time to answer complaint.**

**Government files details of complaint against United Artists.**

**House Appropriations Committee grants additional $519,940 to anti-trust division for next fiscal year.**

## Murphy Explains Anti-Trust Stand

Washington, May 18.—Department of Justice has no authority to advise business of possible illegal effects of trade practices or agreements, but it "will endeavor to make its own views as to what the law requires as clear and as unequivocal as possible," Attorney General Murphy declared today.

The statement was seen as finally disposing of any possibility that the Government will approve the proposed industry trade practice agreement.

Murphy said his recent New York conferences were designed to speed the trial of the film anti-trust suit. Murphy explained the department hopes to aid business men who are trying to eliminate harmful practices, but the department has no authority to grant immunity from anti-trust laws, or to modify or suspend them.

## Trade Pact Parleys Continue Next Week

Major company attorneys continued efforts to complete work on the arbitration provisions of the industry trade practice code at a long meeting at M.P.P.D.A. headquarters yesterday. Considerable progress was reported but it was apparent work on a final draft of the trade plan will not be completed by tomorrow as hoped.

Attorneys will report back to sales executives at a meeting which William F. Rodgers, chairman of the distributors' negotiating committee, will attempt to arrange for early next week.

## Majors Ask for Further Trust Suit Details; UA Bill Filed

The Government yesterday was directed to name in a bill of particulars in its anti-trust suit against the majors, its witnesses who will testify to alleged coercive selling methods.

Permission was granted, however, to withhold the names until 30 days before commencement of the trial in instances where such witnesses have asked the Government to withhold the names and where the witnesses are now doing business with any of the defendants. Federal Judge William Bondy, who denied the Government's request to be excused from listing its witnesses, declared that "the court intimates no opinion, however, that any fear of retaliation is well founded."

All major companies, except United Artists and Columbia, submitted a joint 25-page petition for further details, and asked, in the alternative, that all portions of the complaint, referring to details which were not submitted, be stricken out. Additionally, they asked for a further extension of time to answer the complaint until 60 days after the second bill is filed, and for a number of details granted originally to Columbia and U.A. which other majors failed to request.

The petition charged that statements in the bill of particulars submitted by the Government were "equivocal,

(*Continued on page 2*)

## Add Extra $519,940 To Anti-Trust Fund

Washington, May 18.—House Appropriations Committee today provided for a $519,940 increase for the anti-trust division of Department of Justice for the next fiscal year. The total, $1,300,000 for anti-trust enforcement, is $230,000 under the amount requested by Assistant Attorney General Arnold.

Arnold, when he appeared before the committee, stated the additional sum was needed to prosecute suits already prepared. He included in this list 10 new suits against the film industry, the first of which has been started in Oklahoma.

Committee commented that no "trust-busting" campaign was planned and that "much of beneficial result can doubtless be obtained through the relatively simple means of a consent decree."

# U. S. Ordered To Tell Names Of Witnesses

(*Continued from page* 1)

uninformative and inadequate and fail to comply with the decision of this court."

Judge Bondy's order was stressed and it was pointed out that definite time, place, names, and agreements in each alleged act were required to be set forth. The petition recited the various items in which the Government had answered in general terms or had denied present knowledge of the facts, and assserted that such answers were unsatisfactory.

The Government filed a 24-page bill of particulars for United Artists, similar in most respects to the details previously furnished to other majors. U.A. was charged with exacting excessive rentals from independents, renting to independents on percentage basis only, encouraging overbuying, extending options to theatre affiliated with major companies and refusing second runs to independents where they compete with affiliated exhibitors. The Government alleged that a distributor is under obligation to prevent overbuying.

### Momand Anti-Trust Plea Up Tomorrow

Oklahoma City, May 18.—Arguments by major companies and Griffith Amusement Co. for dismissal of anti-trust suits against them by A. B. Momand, Shawnee, Okla., exhibitor, will be heard by Judge A. P. Murrah in Federal Court here Saturday.

## *'Conquest' to Play Loew N. Y. Circuit*

Republic's "Man of Conquest" opens June 8 at Loew's State, then plays the Paradise and Valencia, then the remainder of Loew's metropolitan circuit. Bookings call for five-day runs on preferred playing time. This is the first Republic film to play the entire Loew N. Y. circuit. The picture opens first run at the United Artists, Detroit, May 25.

## *Korda Goes All-Color*

All five of Alexander Korda's productions for release by United Artists during the new season will be made in color, the company reported yesterday. As a result, Korda's production budget for the group will be the largest he has set for any single season's activities, the announcement stated.

## *New Altec Territory*

Altec has created a new service territory in the Philadelphia district, increasing service facilities in the Washington and Baltimore areas. W. M. Schubert will service the new territory from Dover, Del.

## *Rogers Unveiling June 6*

Oklahoma City, May 18.—Statue of Will Rogers will be unveiled in the rotunda of the Capitol in Washington on June 6, according to the plans of the Oklahoma Will Rogers Memorial Commission.

# *Purely Personal*

S. R. KENT, 20th Century-Fox president, sails on the *Brazil* at midnight tonight to attend the company's conventions in Rio de Janeiro and Trinidad.

•

Edward C. Raferty, United Artists counsel, returned to New York yesterday from the coast after attending the company's annual sales convention. Paul O'Brien, also of counsel, returned earlier.

•

Bob Gillham, William Pine, Monroe Greenthal, Arthur Kelly, George Weeks, T. Hays Hunter, Louis Schine, Gus Lampe, Maurice Cleary lunching at Bob Goldstein's Tavern yesterday.

•

David Bernstein, Lynn Farnol, Father Flanagan (Boystown), Ben Washer, Colvin Brown, Buddy Ebsen, Joe Vogel at Sardi's yesterday for lunch.

•

William Rodgers, Barney Balaban, George Skouras, George Jessel, among those at Nick's Hunting Room in the Astor yesterday for lunch.

•

Col. William Donovan, RKO trustee's counsel, has left New York for the coast.

•

Charles Schwartz, United Artists director, will return to New York from the coast on Monday.

•

E. C. Mills, chairman of the Ascap administrative committee, returned to New York yesterday from a week's business trip to Florida.

•

James R. Grainger, Republic president, is due Sunday from the coast.

GEORGE J. SCHAEFER, RKO president; Gordon Youngman, company attorney, and Ralph Doyle, RKO manager for Australia, will arrive in New York from the coast by train today.

•

Joe Seidelman, Universal vice-president and foreign manager, will return to New York this weekend from a brief visit at the studio.

•

W. Ray Johnston, Monogram president, and Mrs. Johnston celebrated their 25th wedding anniversary with a party for 25 friends at Ben Marden's Riviera Wednesday night.

•

Edna Best arrives from England on the *Nieuw Amsterdam* today, en route to Hollywood to appear opposite Leslie Howard in David O. Selznick's "Intermezzo."

•

Glenda Farrell is in town to start rehearsals in "Anna Christie" to be produced by the summer stock company at Westport, Conn.

•

Charles Munro of Hoyt's circuit, Australia, is expected in New York from the coast today.

•

C. C. Margon, Columbia supervisor for Latin America, is on a two or three months' trip to South America.

•

Ben Kalmenson, Warners' western and southern division manager, left last night for the midwest, to return in a week.

•

M. J. Siegel, Republic production head, is on a Caribbean cruise.

## *Kuykendall to Speak At Oklahoma Meeting*

Oklahoma City, May 18.—Ed Kuykendall, president of the M. P. T. O. A., will be among the speakers at the annual convention of Oklahoma Theatre Owners, Inc., to be held here June 26 and 27. Other speakers will include Robert O'Donnell, president of the Interstate Circuit, Dallas.

## *RKO to Film 'Damien'*

Hollywood, May 18.—RKO has purchased screen rights to "Father Damien," biography by John Farrow of the Belgian priest who worked with the Molokai lepers. Robert Sisk will produce with Farrow directing.

## *Debate Revisions Of Copyright Law*

In order that some concrete proposals for revision of the federal copyright laws may be prepared before Congress adjourns, the Shotwell committee is holding daily meetings at Washington. Progress so far has been slight. Film, music and publishing industries are taking an active part in the deliberations.

## *157 'Juarez' Dates*

Warners yesterday added 50 playdates for "Juarez," thus making 157 Memorial Day week showings set already. "Juarez" is being released nationally the week of June 10.

# *The Newsreel Parade*

*Arrival of Britain's King and Queen in Canada is the major event depicted in the latest newsreel issue. The reels and their contents follow:*

MOVIETONE NEWS, No. 72—King and Queen in Canada. Troops called in coal district. Send logs down Idaho river. Test new forest fire engine. General Motors exhibit. Fashions. Bicycle race. Coeds play lacrosse. War canoe race. Swimming race.

NEWS OF THE DAY, No. 270—British royalty arrives in Canada. Coal strike. Atlantic fleet leaves New York. Snite leaves for France. Gaelic football. Swimming.

PARAMOUNT NEWS, No. 83—Stamp plan for surplus food. Snite goes to France. New tank for forest fires. National Guard in coal district. Canada hails royalty.

RKO PATHE NEWS, No. 87—Canadians welcome King and Queen. National Guard patrols coal region. New illumination device. "Food Stamps" experiment. Logs jam Idaho river. Gaelic football game in New York.

UNIVERSAL NEWSREEL, No. 772—Acclaim King and Queen in Canada. Coal mines open. Cricket plague. Log rolling. Exhibit at Fair. Crew practice. Milking contest. Motorcycle display in England. Test war planes.

# S. A. G. Urges Joint Council On Televisior

Hollywood, May 18.—In a counte
move against Actors' Equity's [illegible]
for jurisdiction over television a[illegible]
executive committee of the Screen Ac
ors' Guild has proposed a temporar
joint council representing the S.A.G
Equity and American Federation
Radio Artists.

"Jurisdiction should not be veste
in any organization at this time," th
committee declared and suggested th
the joint council administer the fiel
until the new medium gains comme
cial standing. "Interests of membe
of the various unions are paramount,
Kenneth Thomson, S.A.G. executi
secretary, pointed out. "Nobody know
yet which way television will turn, an
to what extent motion picture an
live talent will be used."

## *U. A.'s 'Iron Mask' Taken by Music Hal*

Music Hall has booked "The Ma
in the Iron Mask" from United Artis
in addition to "Captain Fury." Boo
ings for "Music School" and "Fo
Feathers" have not been complet
yet.

All legal and financial obstacles
a production start on Douglas Fai
banks' picture for United Artists r
lease have been cleared and the pictu
is being sold by the company on t
basis of an early start.

## *Kuhn Seeking Writ To Stop 'Nazi Spy*

Fritz J. Kuhn filed notice yesterd
that he will ask for a temporary i
junction today to restrain Warne
from exhibiting "Confessions of a Na
Spy," pending trial of the action. Fe
eral Judge Vincent L. Leibell will he
the plea at 10:30 A. M. Kuhn r
cently filed suit for $5,000,000 dan
ages against Warners. Kuhn charge
the film untruthfully depicts the Bu
with engaging in espionage activities

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DAILY
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# PARAMOUNT TO PRODUCE OWN SCREEN TRAILERS . . .

After long study and serious deliberation . . . based on the fundamental idea of furnishing to theatres the best advance trailers that showmanship brains can devise and money can buy . . . Paramount has decided to make and distribute its own screen trailers, starting in January, 1940.

We have long felt that no routine scheme of trailer production can satisfy the demands of theatres day in and day out. We have long felt that different types of pictures demand different trailer treatment. We feel that trailers should possess novelty and intense human interest . . . that they should reflect the SELLING angles inherent in the picture they are advertising. We feel that such trailers are the only kind that should be made . . . and that they should be forceful, intriguing and dramatic . . . short!

The combined production resources of the entire studio will be available to turn out the type of trailer we have in mind . . . and it is for this reason that Paramount has decided that the task of making trailers should be concentrated within its own organization.

At least two types of trailers will be available: DeLuxe trailer for the first-run theatre, and a second type of trailer specifically designed for the subsequent run and smaller theatres.

The first NEW Paramount-made trailer distributed by Paramount—keyed to the NEW SELLING IDEAS—will be ready with the Paramount feature to be released January 5th, 1940.

Paramount Pictures

# Simon Hears Film Tax Protests But Promises Nothing

LONDON, May 18.—Sir John Simon, Chancellor of the Exchequer, gave no indication of any intention to make concessions in the new film taxes, following a meeting today with a deputation representing 17 industry branches, and headed by D. E. Griffith, president of the K.R.S.

Informed opinion is inclined to believe that whatever concessions are made, none will be to foreign distributors. Simon stated, however, that the Government is tabling certain amendments.

Next reading of the Finance bill in Commons will be May 25. Simon promised to study the film case and expressed appreciation of the documentary presentation of the situation. He asked if millions of pounds did not leave the country annually for the United States, and Griffiths replied that the United States annually sends millions of pounds in working capital to England.

## *British Operators Fight Conscription*

LONDON, May 18.—The new British Conscription bill will deplete the ranks of theatre projectionists by between 8,000 and 10,000, according to T. O'Brien, secretary of the National Association of Theatrical and Kine Employes.

The C.E.A. and the union will ask the Home Secretary to receive a deputation on the matter. There are approximately 15,000 projectionists employed in British theatres. It is claimed that chaos will result, not only from the long training periods but also from the weekly drills.

## *'Spy' Gets $28,000 Final Strand Week*

"Confessions of a Nazi Spy" grossed an estimated $28,000 at the Strand in a third week. "The Kid from Kokomo" opens there today. At the Roxy, "Rose of Washington Square" drew an estimated $39,000 in its second week and continues a third. In its fifth week at the Rivoli, "Wuthering Heights" grossed an estimated $17,000.

## *Halt Game Insurance*

MADISON, May 18.—Action against Sol Epstein, charged with operating a lottery by offering Bank Night insurance to persons participating in the Capitol's Bank Night, has been dismissed upon motion of Walter Bjork, Assistant District Attorney. The plan has been halted.

## *Ozzie at Allied Fete*

Ozzie Nelson and Harriet Hilliard will provide music and entertainment for the New York Allied convention banquet at the Astor next Thursday night.

## *KMTA Changes Dates*

KANSAS CITY, May 18.—Kansas Missouri Theatres Association has changed its convention dates from May 22-23 to May 24-25 at the Hotel President here.

# *Small Theatres Deserve More Ad Aid, Ampa Told*

Distributing companies' advertising and exploitation experts yesterday at a special Ampa luncheon meeting at the Astor heard what the exhibitor in the field thinks could be done to improve advertising aids.

The information came from the two Quigley Grand Award winners for 1938—John Burhorn, manager of the Gayety, operated by Indiana-Illinois Theatres in Chicago, and George Limerick, city manager in Enid, Okla., for the Griffith circuit. Both are completing a week in New York as guests of Quigley Publications. They were honor guests at the Ampa luncheon.

### More Press Book Aid

The point stressed in the exhibitors' discussion, which developed into an open forum, was that since the small town and subsequent run theatres are so important in film company revenue, advertising departments should not overlook them when preparing press books and other aids.

Both Burhorn and Limerick declared that on the whole good service is given, but sometimes press book copy is not slanted for local consumption.

Burhorn stressed the importance of keeping a sufficient supply of press books and ad mats at exchanges for exhibitors who play pictures late. It was brought out that more attention should be given to the exhibitor who writes companies' home offices for information or assistance on exploitation.

Lee Blumberg, Warner exploitation and press book manager, and Manny Reiner, Monogram press book manager, participated in the discussion. Martin Starr, WMCA commentator, elicited the information from Limerick that his local radio station cooperates on exploitation more than the newspaper.

### Final Meeting June 1

Burhorn said his only working tools are press books and *Motion Picture Herald's* Managers Round Table Department. A-Mike Vogel, chairman and editor of the department, introduced the speakers.

Paul Lazarus, Jr., president, announced that Ampa's final meeting of the season will be held June 1.

Among those present were: George Dembow, Paul Benjamin and Capt. Paul Kimberley of National Screen Service; Lester Thompson and Joel Swensen of the Hays office; Sid Blumenstock and Ferdinand Ziegler, 20th Century-Fox; Thomas W. Gerety and James Englander, M-G-M; H. M. Richey, Leon Bamberger, Rutgers Neilson, James Boyle, Ethyl Haworth, RKO; Bert Sanford and Harold Wengler, Altec; J. Goldsmith, Warners; Lee D. Balsly, Lee Kaufman, Eli Sugarman, Charles Alicoate, Joe Bernat, Maury Asher, Jack Harrower, Al Steen, James A. Cron, T. J. Sullivan, Gertrude Merriam and a group from Quigley Publications.

# *Out Hollywood Way*

HOLLYWOOD, May 18.—Paramount has signed JANINE DARCEY, Parisian star, to play with ELLEN DREW and RAY MILLAND in "French Without Tears." . . . JAMES DUNN's first picture for SAM KATZMAN of Victory Pictures will be "Kid Racketeers," an aviation story. . . . Lead in Paramount's "Dr. Cyclops," opposite ALBERT DEKKER, will be JANICE LOGAN, contractee at the studio. . . . Warners will have WAYNE MORRIS, DENNIS MORGAN, PAT O'BRIEN, GALE PAGE, ROSEMARY LANE and HENRY O'NEILL in "The Army and the Navy," football story of two brothers, one playing for West Point and the other for Annapolis. . . . JOEL MCCREA has been borrowed from SAMUEL GOLDMAN for "Career Man," in which Warners will also place ANN SHERIDAN. . . . MISS SHERIDAN, under a reciprocal deal, will be loaned to GOLDWYN for his "Black Gold."

✚

Remake of "The Patent Leather Kid" which starred RICHARD BARTHELMESS may be a JOHN GARFIELD vehicle at Warners. . . . The studio is planning a series of features based upon "The Hobby Family," first of which has been made. IRENE RICH, who played in the first, will be the lead in the second. . . . PAUL MALVERN has lined up for support of JOHN TRENT, in "Stunt Pilot," second of the "Tailspin Tommy" pictures for Monogram, MARJORIE REYNOLDS, MILBURN STONE and JASON ROBARDS. . . . IDA LUPINO will play opposite RONALD COLMAN. in Paramount's "The Light That Failed." . . . MAURICE MOSCOVITH has been signed by JACK COYLE of Cathedral Films for a featured role in "The Great Commandment," supporting JOHN BEAL. IRVING PICHEL will direct.

✚

*Casting*—CECIL KELLAWAY to "Intermezzo," Selznick International. . . . DOROTHY SEBASTIAN to "The Women," M-G-M. . . . GUY KIBBEE to "Babes in Arms," M-G-M. . . . WILLIAM FRAWLEY to Paramount's "Night Work," second of the "Fitch Family" stories featuring CHARLES RUGGLES and MARY BOLAND. . . . CHARLES WINNINGER and HENRY HULL to "Babes in Arms," M-G-M. . . . HELEN BRODERICK to "Are Husbands Necessary?", Paramount. . . . PAUL GUILFOYLE CLARENCE KOLB and MONTE BLUE to "Our Leading Citizen," Paramount. . . . KEYE LUKE to "Disputed Passage," Paramount. . . . MARGARET LINDSAY gets the top feminine role in "Return of Dr. X," Warners. . . . JOHN LITEL to "Dust Be My Destiny," Warners. . . . MONTAGUE LOVE and DAVID TORRENCE to 'Ruler of the Seas," Paramount.

✚

*Contracts*—Republic has signed RAYMOND HATTON to a term contract as one of the Three Mesquiteers, the other two being JOHN WAYNE and RAY CORRIGAN. . . . ROBERT PAIGE, under contract to Paramount, draws the lead in "Every Day Is Sunday," which SIDNEY KINGSLEY is adapting.

# British Films Pass Quotas of New Act During First Yea

LONDON, May 18.—Board of Tra figures today revealed 870,904 feet British features were registered du ing the first 12 months, ending Mar 31, 1939, of the new Films Act

The figure represents a quota pe centage of 21.3. The minimum pe centage is 15. Foreign footage t taled 3,214,347.

British shorts under the distrib tors quota during the same 12 mont period totaled 335,437 feet, or equiv lent in percentage to 27.3. The stat tory minimum is 15. Foreign foo age had a minimum of 891,840.

Excess of footage over the stat tory quota percentage was conside a significant comment on the oper tion of the new Films Act during first year.

Figures on the last year duri which the 1927 act operated reve that exhibitors' quota of footage the year ending Sept. 30, 19 screened in British theatres, was eq valent to 26.4 per cent.

## *Columbia Regional On Coast Tomorro*

LOS ANGELES, May 18.—Columbi third and final regional sales meet will open at the Ambassador he Saturday and continue through Mo day. Abe Montague, general sal manager; Rube Jackter, assistant, a Jerome Safron, western division ma ager, will preside.

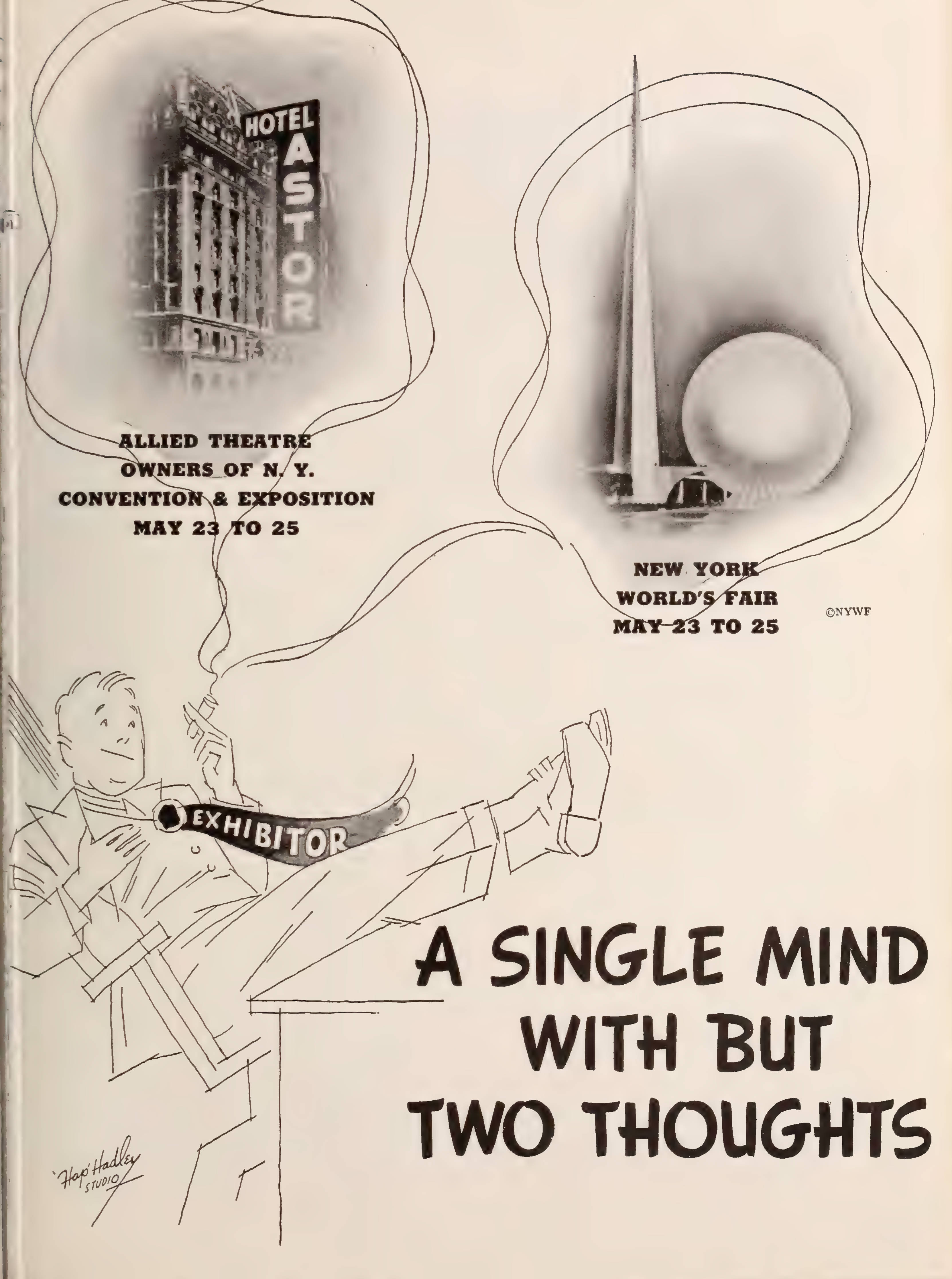
The following delegates will atten Denver—Denver Salt Lake Super sor, R. C. Hill; Salesmen, B. Shooker, S. Dare; Salt Lake City Branch Mgr., W. G. Seib; Salesm K. Lloyd, H. Green, L. E. Kenne W. Sterzer; Los Angeles—Bran Mgr., W. C. Ball,; Salesmen, Wineberg, S. Fisher, H. M. Lentz, L. Meyer; Portland—Branch Mg J. R. Beale; Salesmen, C. E. Tillm W. T. Withers, L. Metzelaar; S Francisco—Branch Mgr., L. E. T man; Salesmen, C. Scott, P. We stein, E. Roberts, M. Klein; Seattle Branch Mgr., L. N. Walton; Sal men, R. A. Ackles, W. G. Beckwi W. Kostenbader. Home Office— E. Pratt.

## *NLRB Complaint In Warner Stri*

Bookkeepers, Stenographers Accountants Union filed yesterday complaint with the N.L.R.B. agai three Warner subsidiaries—First tional, Vitagraph and Globe Expor in connection with the strike at Warner warehouse. Complaint char unfair labor practices in discharg two employes for union activity.

## *A F M Meet Indecisiv*

Continuation of discussions of American Federation of Musicians employment in theatres occupied meeting of film company represe tives and the executive committee the Federation yesterday. Meeti held at the residence of Joseph Weber, president of the Federation, sulted in no decisive action of kind.


HOTEL ASTOR
EXHIBITOR
'Hap' Hadley STUDIO

**ALLIED THEATRE OWNERS OF N. Y. CONVENTION & EXPOSITION MAY 23 TO 25**

**NEW YORK WORLD'S FAIR MAY 23 TO 25**

©NYWF

# A SINGLE MIND WITH BUT TWO THOUGHTS

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| April 14 | First Offenders<br>*Walter Abel*<br>*Beverly Roberts* | The Kid from Texas (G) (C)<br>*Denis O'Keefe*<br>*Rice* | Streets of New York (G) (D)<br>*Jackie Cooper* | Bulldog Drummond's Secret Police<br>Never Say Die | The Night Riders (O)<br>*John Wayne* | They Made Her a Spy (G) (D)<br>*Sally Eilers*<br>*Allan Lane* | Story of Alexander Graham Bell (G) (D)<br>*Ameche*<br>*Loretta Young* | Wuthering Heights (A) (D)<br>*Oberon*<br>*Olivier*<br>*Flora Robson* | Code of the Streets (G) (D)<br>*Harry Carey*<br>*Frankie Thomas* | Women in the Wind (G) (D)<br>*Kay Francis*<br>*William Gargan*<br>*Victor Jory* |
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High (G) (C)<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven (G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (G) (O)<br>*Roy Rogers* | Fixer Dugan (G) (D)<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | Big Town Czar (G) (D)<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare (G) (D)<br>*Lionel Barrymore*<br>*Lew Ayres* | | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men (G) (D) | The Story of Vernon and Irene Castle (G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid (G) (D)<br>*Baxter*<br>Climbing High<br>*Matthews* | | For Love or Money (G) (D)<br>*June Lang*<br>*Robert Kent* | You Can't Get Away With Murder (G) (D)<br>*Bogart* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night (G) (C)<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific (G) (D)<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Blue Montana Skies (G) (O) | Sorority House (G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | | | Confessions of a Nazi Spy (G) (D)<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley (G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>(G) (D) | Man of Conquest (G) (D)<br>*Richard Dix*<br>Three Texas Steers (O) | Panama Lady (G) (D)<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>(G) (D) | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter* | Some Like It Hot (G) (C)<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Southward Ho<br>*Roy Rogers* | | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | Ex Champ<br>*McLaglen*<br>*Tom Brown* | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | Missing Daughters<br>*Arlen*<br>*Marian Marsh* | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly* | | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | The Zero Hour<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | Racketeers of the Range (O)<br>*O'Brien* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Code of the Secret Service<br>*Reagan*<br>*Towne* |
| June 2 | Trapped in the Sky (G) (D)<br>*DeMille*<br>*Jack Holt*<br>*Ralph Morgan* | | Across the Plains<br>*Jack Randall* | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | | The Girl From Mexico<br>*Lupe Velez*<br>*Donald Woods* | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | The Man Who Dared<br>*Grapewin*<br>*Jane Bryan* |
| June 9 | Arizona Cowboy (O)<br>*Starrett*<br>*Meredith* | 6000 Enemies<br>*Walter Pidgeon*<br>*Rita Johnson* | Girl From Nowhere<br>*Anne Nagel*<br>*Warren Hull* | Undercover Doctor<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | S.O.S. Tidal Wave<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | Saint in London<br>*George Sanders*<br>*Sally Gray* | Young Mr. Lincoln<br>*Fonda*<br>*Alice Brady*<br>*Marjorie Weaver* | | The Sun Never Sets<br>*Rathbone*<br>*Fairbanks, Jr.* | Juarez<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne* |
| June 16 | "Q" Planes<br>*Olivier*<br>*Valerie Hobson*<br>The Awful | Tarzan Finds a Son<br>*Weissmuller*<br>*O'Sullivan* | | Invitation to Happiness<br>*Dunne*<br>*MacMurray* | | The Girl and the Gambler<br>*Steffi Duna*<br>*Carrillo* | Charlie Chan in Reno<br>*Sidney Toler*<br>*Ricardo Cortez* | | | Nancy Drew Trouble Shooter<br>*Bonita Granville*<br>*Frank Thomas, Jr.* |

# Lucky Night' Frisco's Best With $13,700

SAN FRANCISCO, May 18.—"Lucky t," paired with "Adventures of l. Arden" drew the best gross of week with $13,700 at the Warfield. an of Conquest" and "Women in Wind" drew $12,500 at the Paraunt. "Stagecoach" drew $9,200 at United Artists.

Estimated takings for the week end- May 9-12:

**de of the Streets" (Univ.)**
OLDEN GATE—(2,850) (35c-40c-55c) 7 s. Stage: vaudeville. Gross: $12,000. (Avge, $15,000)
**ast Side of Heaven" (Univ.)**
**mance of the Redwoods" (Col.)**
RPHEUM—(2,440) (15c-35c-40c-55c) 7 s. 2nd week. Gross: $8,200. (Average, 00)
**an of Conquest" (Rep.)**
**omen in the Wind" (W. B.)**
ARAMOUNT—(2,740) (15c-35c-40c-55c- 7 days. Gross: $12,500. (Average, $11,-
**ucky Night" (M-G-M)**
**dventures of Jane Arden" (W. B.)**
ARFIELD—(2,680) (15c-35c-40c-55c-75c) ays. Gross: $13,700. (Average, $12,000)
**nion Pacific" (Para.)**
OX—(5,000) (15c-35c-40c-55c-75c) 7 days week. Gross: $13,500. (Average, $16,000)
**ark Victory" (W. B.)**
**id from Texas" (M-G-M)**
T. FRANCIS—(1,400) (15c-35c-40c-55c- 7 days, 3rd week. Gross: $5,200. (Aver- $6,000)
**agecoach" (U. A.)**
NITED ARTISTS—(1,200) (15c-35c-40c- -65c) 7 days. Gross: $9,200. (Average,
**on Quixote" (Du-World)**
LAY—(400) (15c-35c-40c) 7 days. Gross: . (Average, $1,000)
**amele" (Sphinx)**
ARKIN—(390) (15c-35c-40c) 7 days. ss: $800. (Average, $1,000)

### *'Happiness' Shows*

ive special screenings of Paraunt's "Invitation to Happiness" e been arranged before important anizations in Pittsburgh, Salt Lake y, Detroit, Chicago and Toronto, rting today in Pittsburgh.

### *Sustain Canopy Veto*

MADISON, May 18.—Mayor James Law's veto of the ordinance which uld have removed all restrictions erection of signs over canopies has n sustained by the Common Coun-

### *To Release "Gulliver"*

Arthur Mayer and Joseph Burstyn ll release in the fall the American rsion of "Gulliver's Travels," feae which employs one boy and sevl thousand puppets.

### *A Good Home*

**Harrisburg, Pa., May 18.—A comfortable resting place for the remainder of its life has been found for the pipe organ in the Victoria, which is being razed. The instrument has been practically unused since the advent of sound. The problem of what to do with the organ was solved when it was learned that St. Paul's Episcopal Church was in need of an organ to replace its 60-year-old instrument.**

### *Butlers' Holiday*

**When Arthur Treacher, who plays the part of a butler in films, arrived Wednesday from the coast to begin a week's engagement at Loew's State, he was met by a delegation from the Staff Club, made up of butlers for Anne Morgan, the Vanderbilts, Astors and other first families.**

**The butlers turned out with striped pants, Oxford coats and British accents, and before news photographers could withdraw made Treacher honorary president of their club. And all with the greatest of seriousness.**

# 'Union Pacific' in Detroit Garners Strong $17,000

DETROIT, May 18.—The Michigan led with "Union Pacific" and "Women in the Wind" at $17,000. "Lucky Night" drew $8,000 at the United Artists.

Estimated takings for the week ending May 12:

**"The Castles" (RKO)**
**"Flying Irishman" (RKO)**
ADAMS—(1,700) (15c-40c) 7 days. Gross: $6,000. (Average, $5,000)
**"East Side of Heaven" (Univ.)**
FOX—(5,000) (20c-65c) 7 days. Stage, Variety acts. Gross: $19,000. (Average, $20,000)
**"Union Pacific" (Para.)**
**"Women in the Wind" (W. B.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $17,000. (Average, $10,000)
**"Blackwell Island" (W. B.)**
**"Lady's from Kentucky" (Para.)**
PALMS-STATE—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
**"Lucky Night" (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days. Gross: $8,000. (Average, $5,000)

# *'Pacific' Scores in Providence, $9,000*

PROVIDENCE, May 18.—"Union Pacific," single-featured at the Strand, set the pace, garnering $9,000. "Dark Victory" and "Torchy Runs for Mayor" brought the Majestic $7,500.

Estimated takings for the week ending May 10-12:

**"Union Pacific" (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $6,000)
**"Dark Victory" (W. B.)**
**"Torchy Runs for Mayor" (W. B.)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)
**"Calling Dr. Kildare" (M-G-M)**
**"Society Lawyer" (M-G-M)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)
**"Zenobia" (U. A.)**
**"Sorority House" (RKO)**
RKO-ALBEE—(2,239) (25c-35c-50c) 6 days. Gross: $3,000. (Average for 7 days, $6,000)
**"Code of the Streets" (Univ.)**
FAY'S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,000. (Average, $6,500)
**"The Hardys Ride High" (M-G-M)**
**"Fighting Thoroughbreds" (Repub.)**
CARLTON—(1,526) (25c-35c-50c) 7 days. Gross: $2,200. (Average, $3,500)

### *Air Shipments Gain*

Gross revenue from air express for the first quarter of 1939 increased 20.4 per cent over the same period in 1938, according to the Air Express Division of Railway Express Agency. Shipments increased 17.9 per cent to a total of 185,084.

# 'Society Lawyer,' Eleanor Powell at $21,800 in Capital

WASHINGTON, May 18.—"Society Lawyer," with Eleanor Powell on the stage, pulled an excellent $21,800 at Loew's Capitol. "The Story of Vernon and Irene Castle." at RKO-Keith's turned in a strong $11,000.

Estimated takings for the week ending May 11:

**"Society Lawyer" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-65c) 7 days. Stage: Eleanor Powell. Gross: $21,-800. (Average, $16,500)
**"Mutiny on the Bounty" (M-G-M)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days. Revival. Gross: $4,600. (Average, $4,500)
**"Stagecoach" (U. A.)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $10,600. (Average, $12,000)
**"The Story of Vernon and Irene Castle" (RKO)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. Gross: $11,000. (Average, $6,000)
**"Dark Victory" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) 2nd week, 7 days. Stage: Marion Talley. Gross: $14,000. (Average, $16,000)
**"Blondie" (Col.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 5 days. Gross: $3,100. (Average, $4,000, 7 days)

# *'Bell' Hits $19,900, Smash Buffalo Lead*

BUFFALO, May 18.—"The Story of Alexander Graham Bell," with Tony Martin and Xavier Cugat on the stage, earned $19,900 at the Buffalo. "Union Pacific" took a strong $11,000 at the Great Lakes.

Estimated takings for the week ending May 13:

**"The Story of Alexander Graham Bell" (20th-Fox)**
BUFFALO—(3,000) (30c-55c) 7 days. (On stage: Tony Martin and Xavier Cugat's orchestra). Gross: $19,900. (Average, $12,000)
**"Union Pacific" (Para.)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $11,000. (Average, $7,500)
**"The Hardys Ride High" (M-G-M)**
**"They Made Her a Spy" (RKO)**
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $5,000. (Average, $6,800)
**"You Can't Get Away with Murder" (W. B.)**
**"Sweepstakes Winner" (W. B.)**
CENTURY—(3,000) (25c) 7 days. Gross: $4,300. (Average, $6,000)
**"The Lady and the Mob" (Col.)**
**"Romance of the Redwoods" (Mono.)**
LAFAYETTE—(3,300) (25c) 7 days. Gross: $7,500. (Average, $6,300)

### *Colbert in 'Drums'*

HOLLYWOOD, May 18.—Twentieth Century-Fox has signed Claudette Colbert to play opposite Henry Fonda in "Drums Along the Mohawk," to be produced by Raymond Griffith with $2,000,000 budget. John Ford will direct picturization of Walter E. Edmond's best selling novel.

### *New DeVry Exhibit*

DeVry Corp. will again demonstrate its 16mm. projection equipment next week. DeVry has been invited to show its equipment to Government departments at the U. S. Department of Agriculture Auditorium, Washington Monday and Tuesday.

### *Welles Praises 'Juarez'*

Harry M. Warner, president of Warners, has received a letter from Sumner Welles, Undersecretary of State, praising the company's "Juarez" for promoting Pan-American relations.

# Seattle Gives 'Pacific' Big $7,800 Gross

SEATTLE, May 18.—"Union Pacific" at the Paramount led with $7,800. The dual of "The Hardys Ride High" and "The Kid from Texas" took $4,300 at the Blue Mouse. The weather was warm.

Estimated takings for the week ending May 12:

**"The Hardys Ride High" (M-G-M)**
**"The Kid from Texas" (Para.)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days. 2nd week. Gross: $4,300. (Average, $4,000)
**"The Broadway Serenade" (M-G-M)**
**"Within the Law" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $6,800. (Average, $7,000)
**"Wuthering Heights" (U. A.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days. 2nd week. Gross: $3,900. (Average, $4,000)
**"Blackwell's Island" (W. B.)**
**"The Flying Irishman" (RKO)**
ORPHEUM—(2,450) (30c-40c) 7 days. Gross: $3,200. (Average, $6,000)
**"Disbarred" (Para.)**
PALOMAR—(1,500) (15c-25c-35c-40c) 7 days. Buzzington's Rube Band on stage. Gross: $5,300. (Average, $5,000)
**"Union Pacific" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $7,800. (Average, $6,000)
**"Orage" (Tri-Natl.)**
UPTOWN—(750) (30c-40c) 7 days. Gross: $1,400. (Average, $1,500)

# 'Victory' Scores $11,600, Montreal

MONTREAL, May 18.—"Dark Victory" scored at the Palace with $11,-600. Second week of "Dodge City" accounted for 6,300 at the Capitol.

Estimated takings for the week ending May 13:

**"Dodge City" (W. B.)**
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,300. (Average, $8,000)
**"The Story of Vernon and Irene Castle" (RKO)**
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $5,000. (Average, $7,000)
**"Wuthering Heights" (U. A.)**
ORPHEUM—(919) (25c-35c-50c) 7 days, 3rd week. Gross: $2,700. (Average, $5,000)
**"Dark Victory" (W. B.)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $11,600. (Average, $10,000)
**"The Hound of the Baskervilles" (20th-Fox)**
**"Winner Take All" (20th-Fox)**
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $6,200. (Average, $6,500)

### *Charles Boyer to Paris*

HOLLYWOOD, May 18.—Charles Boyer will leave for Paris to be featured in "Le Corsaire," which Andre Daven will produce, when he finishes work in Universal's "Modern Cinderella." He will return here to appear with Deanna Durbin in "First Love."

### *Associate Producers Get Warner Credit*

**Hollywood, May 18.—Henceforth, associate producers on "A" pictures at Warners will get screen credit. The decision was reached following the preview of "Juarez," and Henry Blanke, producer, will be the first Warner producer to receive mention on the screen.**

# Fire Rules on Films Changed For Industry

Important changes have been made in the regulations governing film buildings and in the handling, storage and exhibition of regular motion picture film by the National Fire Protection Association.

The new regulations chiefly will affect new theatre construction, which must include larger projection rooms, and remodeling jobs. Booths must be eight feet wide by 10 feet deep by eight feet high, for one projectionist, and 14 feet wide by 10 feet deep by eight feet high for two projectionists. Existing theatres not remodeling are not required to alter their booths.

In one way or another the changes apply to the 256 film exchanges of the eight major companies and the 157 independent exchanges, as well as to the numerous laboratories and storage vaults in New York and Hollywood. The new revisions are the first since 1936, when amendments were made to the original regulations of 1931.

## *Dickinson Makes Personnel Changes*

Kansas City, May 18.—Several personnel changes have been made by Griffith-Dickinson Theatres. W. G. McKinney, manager of the Dickinson, Lawrence, Kan., now is supervisor for both the Dickinson and Varsity there. Irwin Tucker, formerly with Griffith Amusement, now is managing the Dickinson, Fayette, Mo., replacing Ken Baird, who goes to the Dickinson, Herington, Kan. Ray Helson, Herington manager has resigned. Charles Hoge, who has been in the circuit office here, now is managing the Dickinson, Olathe, Kan., replacing Bob Parker.

## *Plan Mexican Studio*

Mexico City, May 18.—Plans for establishing a film studio are being made by the government of Jalisco State, an important western region. Gov. Silvano Barba Gonzalez is one of the backers of the proposition, which calls for an investment of $600,000. The studios are to be in Guadalajara, the Jalisco capital.

## *Attacks N.C. Bank Night*

Rutherfordton, N. C., May 18.—Judge J. A. Rousseau of Wilkesboro, N. C., in convening a criminal term of Superior Court here, stated in his charge to the grand jury that Bank Night at theatres violates the state lottery laws. He ordered enforcement.

## *Wolff in Bernie's Place*

Nat Wolff, with the radio department of the Myron Selznick Hollywood office, has arrived to take charge of the New York office as temporary successor to Herman Bernie, resigned.

## *Move Republic Branch*

Charlotte, N. C., May 18.—Local Republic exchange will move June 1 into new quarters at 227 W. Fourth St., formerly occupied by RKO.

## *Derby Leads Duke*

**According to official ratings 20th Century-Fox had a bigger radio audience in sponsoring the description of the running of the Kentucky Derby than the Duke of Windsor had when he delivered his "peace plea." The reports show that 13.4 per cent of radio set owners, interviewed heard the plugs for "Rose of Washington Square" in the Derby broadcast, while 10.1 per cent listened to the Duke.**

## *Television Program Is Set for Tonight*

Revised television program from 8 to 9 P. M. tonight on W2XBS, NBC transmitter, will have seven "live" acts and one film.

The acts include Glenn Riggs as M.C., Bill Burns and Canary Circus, Ann Miller, dancer; Clyde Hager, comedian; Margaret Brill, harpist; the Kidoodlers, novelty musical act; "Any Family," dramatic sketch with Phyllis Welch, and a film, "Love's Memorial."

Next week's program will include, on Wednesday, Hildegarde, Patricia Bowman, a dramatic piece, "Like and Dislikes" with Edwin Burke, Mary Callahan, John Bouruff and Allan Bunce, and Marion Bishop's Marionettes. Friday the schedule will include a telecast of the Intercollegiate track meet at Randall's Island, the Merry Macs, Hartmans and a hair style show.

## *Columbia Tops League*

Columbia has a slight lead in the Motion Picture Baseball League, winning the two games played. Consolidated Film Industries and Skouras are tied for second. NBC, Paramount and RKO, each winning and losing one game, are tied for the next position. Rockefeller Center and Loew's share the cellar. RKO and Paramount play today.

## *79 Carry Show*

Six more stations will carry the NBC-Blue program, "Letters from Home," featuring Ray Perkins, and broadcast from the Westinghouse Electric Co. at the World's Fair. WALA, Mobile; WNBC, New Britain; WCOA, Pensacola; WCOL, Columbus; WTAR, Norfolk, and WIS, Columbia, joined 73 other stations carrying the program.

## *Lord Show to Pepsodent*

Pepsodent has signed Phil Lord's "District Attorney," to replace Bob Hope's program for the summer, starting July 27. Hope and his troupe will return to the spot Sept. 19.

## *Huston in 'Playhouse'*

Walter Huston will appear in an original play, "The President Speaks," in the initial broadcast of "Knickerbocker Playhouse," which starts over CBS May 21 at 10 P. M.

## *'Angels' on Lux Hour*

James Cagney wil team with Pat O'Brien in the Lux "Radio Theatre" Monday in a broadcast of "Angels With Dirty Faces." Both appeared in the film.

# Leading 5 Ad Agencies Hike NBC Spending

The five leading agencies in order of their 1938 total network radio expenditures have increased their expenditures in the first four months of 1939 on the NBC networks by 6.03 per cent over the first four months of 1938, NBC officials report.

The agencies are Blackett-Sample-Hummert, J. Walter Thompson, Young & Rubicam, Benton & Bowles and Lord & Thomas.

Expenditures on NBC by the five leaders for 1939 were $6,675,974, compared to $6,296,412. NBC billings for the first four months of 1939 totaled $15,514,431, an increase of 7.7 per cent over the $14,408,905 of 1938.

Of the total 1938 expenditures, the five leaders placed 40.6 per cent, or $29,099,357, of the total network advertising business which was $71,728,404. Of this, $18,178,374, or 62.4 per cent, was placed with NBC, with $15,391,557, or 52.9 per cent, going to the Red network.

## *Theatre Television To Get British Study*

London, May 18.—A deputation representing the Kinematograph Renters' Society (distributors) and the Cinematograph Exhibitors' Association discussed television in theatres with the Postmaster General today. It was agreed that a memorandum setting out the film case would be submitted.

The official promised to give the matter consideration and take it up before the Television Advisory Committee.

## *Women's Committee Plans Radio Series*

Women's National Radio Committee, in conjunction with CBS, will present a new series titled "Women in the World of Tomorrow," starting May 27, at 12:15 P. M. Participating units include National Society of New England Women, Sigma Alpha Iota, American Legion Auxiliary, National Council of Jewish Women, National Committee of Churchwomen and numbers of other women's groups.

## *Berch in New Series*

Jack Berch, currently broadcasting over WJZ twice a week for Sweetheart Soap, will start a five times weekly schedule for the same sponsor, starting Monday. He will be heard over WJZ Mondays, Wednesdays and Fridays at 10:30 A. M., and on WOR each Tuesday and Thursday at 12:15 P. M. CBS Artists Bureau placed the contract.

## *Title New P & G Show*

"Knickerbocker Playhouse" is the title of the dramatic serial which Procter & Gamble will place on CBS beginning May 21. Show will be broadcast Sundays from 10 to 10:30 P. M., with Elliott Lewis and guest players.

# *Radio Personals*

JOHN J. ANTHONY, director the "Good Will Hour," is the f ther of a baby boy. . . . TW Rad Productions is adapting "Bomba, th Jungle Boy," for radio. . . . Gle Anders has been assigned a pa the "Carters of Elm Street," netwo serial. . . . Jimmy Dorsey opens at th Meadowbrook on Tuesday.

•

Louis Allan Weiss, manager of th Don Lee network, is in New Yo . . . Hugh Herbert will be on Georg Jessel's program Tuesday night . . Ida Lupino was heard opposite Ors Welles last night in "The Bad Man

•

Myron Weiss, associate editor *Time*. and Lewis H. Carris, gener director of the National Society f the Prevention of Blindness, are fe tured in the Society's "safe and san Fourth of July transcription.

## *Met Auditions to Return in Octobe*

Sherwin-Williams Paint Co. wi sponsor the "Metropolitan Auditio of the Air" for the fifth consecuti season, starting Oct. 1. Edward Joh son again will act as chairman of th judges committee; Milton Cross wi be the announcer and Wilfred Pell tier musical director. Warwick Legler will place the program.

NBC will carry the series. D cision to return the show to the a followed a survey undertaken by th sponsors, totaling over 25,000 inte views.

## *'Silver Theatre' Here*

True Boardman, script writer; Gl Hall Taylor, Young & Rubicam pr duction man, and Conrad Nag M. C. of the "Silver Theatre" pr gram, arrived in New York yesterd from Hollywood. They will rema here for two weeks of broadcastin when the series will be concluded f this season. It will resume in th fall.

## *F C C Calendar*

Washington, May 18.—Feder Communications Commission has be asked to approve plans for new broa casting stations in Pennsylvania a California.

Applications for construction pe mits for the new stations were fil by the Lackawanna Broadcasting C Inc., Scranton, for operation on 1,3 kilocycles with 100 watts power nig and 250 watts day, and Richard Sampson, Riverside, Cal. for oper tion, day only, on 1,390 kilocycles wi 250 watts power.

The commission ordered hearin held, at dates to be set later, on th applications of the Lakeland Broa casting Co., Willmar, Minn., for new 680-kilocycle, 250-watt day st tion, and WMBO, Auburn, N. Y., f increase of night power from 100 250 watts, and KDAL, Duluth, f increase of day power from 100 250 watts.

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# KO Will List 0 to 54 Films t Sales Meet

## haefer Returns After Coast Conferences

bout 50 to 54 features will be an- nced by RKO for the new season the company's annual sales con- tion June 19-22, at Westchester ntry Club.

inal arrangements for new season duct were made at the studio by rge J. Schaefer, RKO head, dur- his stay of several weeks there. haefer returned to New York late week, completing the final lap of trip from the coast by plane from cago. He was accompanied by don Youngman of the company's e office legal department, who as- ed with the making of new season duction, release and talent contracts the studio.

### Product Announced

mong the product for which deals e closed during Schaefer's studio it are those with Gene Towne Graham Baker for four; with Ste- ns-Lang for three "Dr Christian" tures starring Jean Hersholt; one m Harold Lloyd; a Laurel and rdy picture to be produced by Boris rros, and RKO release for eight rros remakes of French pictures, a three-picture deal for Richard x. The company will also have at st two from the Max Gordon- rry Goetz team; three or four from rbert Wilcox; two or three each m Leo McCarey, Gregory La Cava the Bob Breen unit.

alph Doyle, RKO -Australian nager, arrived by train Friday after ompanying Schaefer and Young- n as far as Chicago. He is here home office conferences and to nd the sales meeting.

# romise U.S. Shorts or BBC Television

ajor companies will cooperate in king their short subjects available the British Broadcasting Co. for vision use, subject to certain regu- ions designed to eliminate possible ections from exhibitors in England. eature pictures are not to be in- ded in the arrangements and, in t, no request for features was made Gerald Cock, B.B.C. television di- tor, when he presented his request film material to the distributors e during his recent visit.

n understanding that B.B.C. al-

(Continued on page 5)

## 20th-Fox Foreign Plans Reciprocal

**Plans of 20th Century-Fox to expand in Latin America will be on a reciprocal basis with the development of the industry in that market taken into consideration.**

**S. R. Kent, president, before sailing Friday night for Rio de Janeiro, declared:**

**"Reciprocity in business relations between America and foreign countries is imperative. Whatever we have in mind for future expanded activity in Latin America takes into consideration the welfare of exhibitors in the countries there."**

# Albany Votes Tax Upon Admissions

Albany, May 21.—New York State legislature before adjournment yesterday passed the Moffat-Mitchell-Desmond low cost housing measure, which allows cities to levy a tax of one cent on theatre admissions up to 50 cents, with a graduated scale above, and a franchise tax of one cent per square foot per year on outdoor advertising signs in excess of three square feet.

The two per cent sales tax measure, which would include a tax on theatre

(Continued on page 4)

# U. S. HINTS FEWER ANTI-TRUST SUITS

# U.A. Stock, Studio Are Not For Sale, Says Miss Pickford

United Artists' stock is not for sale to Samuel Goldwyn or any one else, and neither is the studio, said Mary Pickford, one of the five producer-owners, on Saturday. The four stockholders exclusive of Goldwyn intend to retain their holdings indefinitely, she added.

Miss Pickford and Murray Silverstone, United Artists executive head, held a press conference following their arrival from the coast. Present were Harry Gold and L. J. Schlaifer, vice-presidents, and Ted Carr, joint managing director in England.

As to Goldwyn's desire to withdraw from the company unless certain terms are met, Miss Pickford pointed out that the five stockholders are contracted until 1942 to release through U. A.

Miss Pickford said that Goldwyn's lease on the U. A. studio, obtained from Douglas Fairbanks, Sr., and herself, expires in 1941 and it carries a five-year renewal option. Goldwyn

(Continued on page 2)

## Federal Officials Refuse To Reveal Next Step In Fight on Majors

Washington, May 21.—Department of Justice officials indicated over the week-end that the number of the government's anti-trust suits against major film companies will be less than the originally announced figure of "about ten."

At hearings before the House appropriations committee, where funds were sought to finance investigation and prosecution, Assistant Attorney General Thurman Arnold had said that there would be about a "round dozen" of suits.

Federal officials assumed a reticent attitude when approached for information on new developments in its fight against the majors. They declined to reveal whether any new suits are scheduled for early filing. New York and Oklahoma suits are the only actions before the courts at present.

The same officials would not comment upon Friday's order in New York, requiring the government to disclose the identity of its witnesses in the New York suit.

### Government's "Good Faith" Called Biggest Problem

Reaction is varied among defense attorneys in the Government anti-trust suit to Federal Judge William Bondy's order instructing the Government to name its witnesses. Question of the Government's "good faith" looms as the largest problem.

Attorneys point out that the order

(Continued on page 5)

# Allied Convention Here To Draw Trade Leaders

Several hundred exhibitors are expected at the World's Fair convention and equipment exposition of Allied Theatre Owners of New York which opens tomorrow at the Hotel Astor for three days. This is the organization's first annual convention.

Highlight of the meeting will be an open forum on Thursday at which William F. Rodgers, general sales manager of M-G-M, and other distribution heads are scheduled to speak on the trade practice code and industry topics. Among those invited to speak are George J. Schaefer, RKO president; Ned E. Depinet, RKO vice-president; Neil F. Agnew, Paramount general sales manager, and Gradwell L. Sears, Warners' sales chief.

Abram F. Myers, Allied States general counsel, and Col. H. A. Cole, president, and other national Allied officials are expected.

Max A. Cohen, president of New York Allied, declared that "much of a constructive nature" is expected to be accomplished at the convention in creating a better understanding between distributors and exhibitors.

Francis C. Lydon of Boston, Allied's eastern regional vice-president, on Friday informed Cohen that the eastern regional conference of Allied leaders, scheduled in conjunction with the convention, had been postponed because it would be impossible for them to attend the New York meeting and the national convention in Minneapolis within a three-week period. The conference has been postponed until after the Minneapolis convention, Lydon said.

Lydon had asked New York Al-

(Continued on page 5)

# UA Acts to Quash Goldwyn Complaint

United Artists on Saturday filed a motion to dismiss the amended complaint of Samuel Goldwyn and Samuel Goldwyn, Inc., in the breach of contract suit now pending in Wilmington Federal court. Basis of the motion is Goldwyn's failure to name Alexander Korda and Douglas Fairbanks as defendants. U. A. contends that the latter and their companies are necessary parties to the action and that the complaint should be dismissed because of the failure to name them.

Action also charges that Goldwyn's case is not a proper one for a declaratory judgment such as that sought from the court and questions whether Goldwyn has established a proper cause of action.

# Tax Revenues Show Biggest Slump in Year

WASHINGTON, May 21.—Admission tax collections in April were at the lowest point for any month since January, 1938, totaling only $1,384,722 as compared with $1,606,996 in March and $1,541,518 in April, 1938, it was reported yesterday by the Internal Revenue department.

The decline was general throughout the country, it was indicated with New York's Broadway revenues dropping to $506,685 from $612,785 in March and $596,035 in April of last year.

Figures for the Third New York district showed that receipts from box-office admissions dropped from $549,647 in March to $442,085 last month, while revenues from free or reduced rate admissions increased from $5,639 to $6,811, and from roof gardens and cabarets from $42,478 to $46,621.

Revenues from tickets sold by brokers dropped from $13,934 to $11,168, and there were no revenues from tickets sold by proprietors in excess of established price or from permanent use or lease of boxes and seats, from which March collections were $1,068 and $18, respectively.

As a result of heavier than normal decline in April, total collections for the first four months of the year were approximately $268,000 under same period last year, figures being $6,058,979 compared with $6,327,650.

## *Award Winners End Visit of Week Here*

Finishing a week's stay in New York as guests of *Motion Picture Herald,* the Quigley Grand Awards winners, John Burhorn and George Limerick, leave today after a weekend at the World's Fair, on Saturday with M-G-M as host and on Sunday as guests of Republic. Bill Ferguson, exploitation director, represented M-G-M, and Al Adams, advertising head, Republic.

The winners were guests Thursday of Universal at Jack Dempsey's for dinner, followed by a theatre party at "Helzapoppin." Twentieth Century-Fox honored the men at luncheon Friday at the Waldorf-Astoria, with Earl Wingart, publicity manager, as host. In the evening United Artists arranged their attendance at "Leave It to Me."

## *Resume Trade Pact Conferences Today*

Sales managers will convene today with major company attorneys at the Astor to continue work on final phases of the industry trade practice program. Attorneys will report results of their meeting last Thursday and continue discussions on phraseology of the uncompleted arbitration provisions.

SARDI'S
Everybody in Show Business
MEETS AT
234 West 44th Street
LAckawanna 4-5785

# *Purely Personal*

BEN GOETZ, delayed in his scheduled departure from Hollywood last week, arrives in New York by train today. With MRS. GOETZ, who preceded him to New York, he plans to sail for London Wednesday.

•

LOUISE M. FELT, Westmar Theatre, Norristown, Pa.; F. J. MCCARTHY, State, Brookings, S. D., and MR. and MRS. MERLE BUCKNUM of the Ideal and Liberty, Emmett, Idaho, among registrants at RKO World's Fair headquarters.

•

DAN CARROLL, manager of the Prince Edward Theatre, Sydney, Australia, was guest of Y. FRANK FREEMAN, Paramount vice-president, at a studio luncheon.

•

ARTHUR TREACHER, appearing at Loew's State this week, was given a cocktail party Friday by the Staff Club, consisting of butlers for the "first families."

•

MORRIS GOODMAN, Republic vice-president in charge of foreign distribution, is now in Colombia on a Latin American trip. He is due back in two months.

•

CHARLES MUNRO of Hoyt's Circuit, Australia, arrived in New York from the coast by train on Friday for a series of conferences with home office officials.

•

ERROL FLYNN'S parents, PROF. and MRS. THOMPSON FLYNN of Belfast, Ireland, will visit him in Hollywood for first time in four years.

•

JAY GOVE, M-G-M sales promotion manager, is handling the *Distributor,* house organ, while M. L. Simons, editor, is on a field trip.

•

SAM SHAIN, editor of MOTION PICTURE DAILY, returns to New York late this week after three weeks in Hollywood.

•

VINCENT SHERMAN, Warner writer, has been given a director's contract by the studio, his first "The Return of Dr. X."

•

EDNA BEST has left for Hollywood to appear in the leading femine role of "Intermezzo," DAVID O. SELZNICK film.

•

H. J. YATES, president of Consolidated Film Industries, is due from the coast late this month.

•

SAMUEL HADELMAN, operator of the Capitol, Bridgeport, is the father of a girl, SUSAN.

•

WILLIAM SIRICA of the Lido, Waterbury, Conn., suffered injuries to his arm in a fall.

•

JOSEPH STANZLER is the new manager of the Greenwich, East Greenwich, R. I.

•

FRED P. FIELDING has joined Ross Federal's Philadelphia office.

•

MOSS HART has leased a house in the Sutton Place section.

•

SAM ABERMAN is celebrating his birthday today.

E. T. (TEDDY) CARR, United Artists joint managing director for England, arrived in New York from the coast over the weekend and plans to sail for London on May 31.

•

JOHN FARROW and his wife, MAUREEN O'SULLIVAN, have been accepted as passengers on the maiden flight of the trans-Atlantic clipper of Pan-American Airways between New York and Ireland. No definite date has been set for the flight.

•

CHARLES SCHWARTZ of Schwartz & Frohlich, law firm, arrives in New York from the coast by train today after attending the U. A. sales convention and the San Francisco Fair.

•

MR. and MRS. S. E. SAMUELSON and daughter, of the Intermountain Theatres, Salt Lake City, Utah, have registered with the RKO World's Fair headquarters.

•

PEGGY FOLDES of the RKO publicity department, has been reelected chairman of the associate members of the New York Newspaper Women's Club.

•

HAROLD HENDEE, director of research for RKO, will speak on "The Authentication of Motion Pictures" this evening at Columbia University.

•

CAPT. PAUL KIMBERLEY, managing director of National Screen Service in England, will return Wednesday after a week's stay here.

•

HARRY KOSINER, eastern sales representative for Walter Wanger Productions, returns to New York today from a studio visit.

•

L. J. SCHLAIFER, United Artists western general sales manager, returned to New York from the coast over the weekend.

•

J. J. MILSTEIN, eastern representative for Edward Small Prod., arrived in New York from the coast over the weekend.

•

MR. and MRS. DOUGLAS FAIRBANKS have reserved passage on the *Queen Mary,* sailing for England Wednesday.

•

LOU LIFTON, advertising and publicity director for Monogram, celebrated a birthday Friday.

•

MAX WEISFELDT, Columbia short subjects sales supervisor, has returned to New York from Milwaukee.

•

LOUIS W. SCHINE has been reelected president of the Community Center at Gloversville, N. Y.

•

MORRIS FOGELSON, owner of the Denville, Denville, N. J., is on a coast honeymoon.

•

HERMAN RIEPER, 20th Century-Fox auditor, leaves for a Bermuda cruise this week.

•

HARRY GOETZ left for the coast by train over the weekend.

•

BILL PINE sailed for Bermuda Saturday for a week's rest.

•

CARL LAEMMLE, JR., is in town, stopping at the Pierre.

# U.A.'s Holding Not For Sale Says Pickfor

(*Continued from page* 1)

owns only the movable prope The studio land and buildings ha belonged to Miss Pickford and Fa banks for years.

"Four stockholders are very h Miss Pickford declared. "That for Alexander Korda, Charlie Chapl Fairbanks and myself.

"Since Silverstone took charge United Artists' direction, there is an outstanding producer who has his eye on the company. Eventuall believe we will get many of them."

Miss Pickford praised Silv stone's management and particula the "Silverstone plan" of distributi whereby the world-wide distributi charges assessed against the films the 11 producers are in inverse ra to the grosses. Because of the expe ed large gross of Chaplin's next fil "The Dictators," the distributi charge is figured at possibly 15 cent.

The "Silverstone plan," said M Pickford, is of greater benefit to producers than the stockholders. C producer last year received three a one-half times as much as the di dends paid the stockholders.

Silverstone said that of the 28 to films scheduled for 1939-'40, four w be ready shortly. These are Wal Wanger's "Winter Carnival," Go wyn's "Music School," Edward Sma "Man in the Iron Mask" and Selzni International's "Intermezzo." A fif Korda's "Four Feathers" is complet

Chaplin will start shooting "T Dictators" in three weeks and plans October release.

Silverstone, Miss Pickford and C will sail on the *Normandie* May 31 attend the company's European c vention in London. Fairbanks sails England Wednesday on the *Que Mary* and will return in about th weeks to start his first production the coast.

## *Tone Gets Metro Pac*

HOLLYWOOD, May 21. — Franc Tone has signed a contract w M-G-M for two pictures, the first be "Thunder Afloat."

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief Publisher; SAM SHAIN, Editor; JAM A. CRON, Advertising Manager.

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# RULING FAVORITES

**EASTMAN'S three new motion picture negative films have quickly established themselves as the favorites of the industry. *Plus-X* for general studio work . . . *Super-XX* for all difficult exposures . . . fine-grained *Background-X* for backgrounds and all-round exterior work. Each makes its special contribution, and all have that typical reliability closely identified with Eastman films. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)**

**EASTMAN *Plus-X . . .***
***Super-XX . . . Background-X***

# Para. Scores In Blumenthal Court Ruling

Permission to appeal to the N. Y. Court of Appeals in Albany from a decision denying an application for an injunction restraining Ben Blumenthal from bringing suit in England, and for a stay of proceedings was granted Friday to Paramount Pictures, Inc. by the Appellate Division of the N. Y. Supreme Court.

Paramount sought the injunction in a suit which claimed that Blumenthal had no right to sue in an English court for remuneration on the sale of Paramount's English theatre holdings.

### Pathe Stockholders Lose in Two Legal Moves

N. Y. Supreme Court Justice Rosenman Friday denied the application of Anna Bashlow, stockholder of Pathe Film Corp., for an order granting permission to examine the books of Pathe and dismissed her suit. Justice Rosenman also denied an application of 10 stockholders holding 1,820 shares to intervene in the Bashlow suit because of his denial of her application.

In opposing the action, Phillips & Nizer, Pathe counsel, charged bad faith and attacked Bernard J. Reis, who had submitted an affidavit in support of the plaintiff's motion, charging that he had testified in other minority stockholders' actions against a film company. Counsel charged that he did so on a contingency basis and that he had acquired stock in Pathe after he learned of the alleged mismanagement. Reis testified recently for the plaintiffs in a stockholders' action against Loew's.

### Para. Seeks Details In Rae Nasoff Action

Application will be made today by Paramount to the N. Y. Supreme Court for an order striking out allegations of the complaint of Rae Nasoff, stockholder, and to direct her to make her complaint more definite. The plaintiff seeks an accounting and appointment of a receiver because of alleged mismanagement.

### Kuhn's Plea for Writ Adjourned to May 26

Application of Fritz J. Kuhn for a temporary injunction pending trial to restrain the exhibition of Warners' "Confessions of a Nazi Spy" was adjourned Friday by Federal Judge Vincent L. Leibell to May 26 at Warners' request. In opposing the adjournment, Vahan H. Kalenderian, attorney for Kuhn, stated that he was ready to try the action within 24 hours. Suit, which charges libel, is for $5,000,000 damages and an injunction.

### Sherwood Attacks 20th-Fox Suit Reply

Robert E. Sherwood and the Playwrights Producing Co., Inc., plaintiffs in an injunction and damage suit against 20th Century-Fox, today will apply to the N. Y. Supreme Court for an order striking out the defenses raised by 20th Century-Fox in its answer. Plaintiffs seek to restrain use of the title, "Young Mr. Lincoln," which has allegedly made the public believe that the picture is an adaptation of Sherwood's play, "Abe Lincoln in Illinois."

### Film Recording Corp. Sues Over Patents

Film Recording Corp. filed a patent infringement suit in U. S. District Court Friday against Miles Reproducer Co., Inc., Samuel Bernbaum and Jacob M. and Hattie Kulick. Suit charges they sell machines embodying patents held by the plaintiff.

### Walter O'Keefe Wins Ruling in Breach Fight

Order directing examination for trial of Chester La Roche as president of Young and Rubicam, Inc., and of the Packard Motor Car Co. by one of its officers was upheld by the Appellate division of the N. Y. Supreme Court Friday in the $48,750 damage suit of Walter O'Keefe, who charges breach of a contract.

### New Orleans Admission Tax Appeal Is Heard

New Orleans, May 21.—Appeal of Claude J. Derbes, secretary of Le Petit Theatre du Vieux Carre, fined $1 in New Orleans Recorder's Court for refusing to pay the city's two per cent amusement tax, has been taken under advisement.

## 'Chips' to Dayton

Dayton, May 21.—M-G-M again has chosen Dayton as the "typical American city" and will premiere "Goodbye, Mr. Chips" at Loew's on June 1. Other first run showings are in New York and Los Angeles. Dayton also was selected for the "Pygmalion" premiere.

## Sutherland Is Signed

Hollywood, May 21.—Boris Morros has signed Edward A. Sutherland to direct Stan Laurel and Oliver Hardy in "The Flying Deuces," formerly titled "The Aviators," which RKO will release. Shooting is scheduled to start July 1 at the General Service Studios.

# *Hollywood Review*

## *"The Kid from Kokomo"*

*(Warners)*

Hollywood, May 21.—Quite a spell after this slam-bang comedy gets rolling May Robson comes into it as an alcoholic octogenarian arrested for shoplifting and from there on it's her picture. Before then Pat O'Brien, lightly principled fight promoter, has gone into the backwoods and sold Wayne Morris, sentimental slugger, on the idea of entering the ring under his management for the sake of newspaper publicity which he promises will attract attention of the lad's 22-years-missing mother. O'Brien persuades the judge to parole the prisoner to him, passes her off on the boy as his long lost mother, and from there on the story bounces along a groove hewn midway between "Lady for a Day" and "A Slight Case of Murder," winding up in a slapstick sequence wherein elderly graduates of the Hell's Kitchen school of fisticuffs defeat a gang of modern gun throwers.

O'Brien's fight manager is a graphic portrayal. Morris makes the sentimental fighter look real. Maxie Rosenbloom gets sound laughs as the defending champion. Joan Blondell is satisfactory as O'Brien's bubble-dancer girl friend, Jane Wyman furnishes a dash of flip charm, Ed Brophy plays O'Brien's dumb assistant characteristically and Sidney Toler submits a humorous judge that is quite something. Ward Bond, Paul Hurst, Stanley Fields and Morgan Conway are among the others present.

Jerry Wald and Richard Macaulay wrote the screenplay from Dalton Rumbo's story, "Broadway Cavalier," and Lewis Seiler directed for associate producer Sam Bischoff. The production is designed exclusively for laugh purposes and kept its preview audience merry.

Running time, 90 minutes. "G."* ROSCOE WILLIAMS

---

*"G" denotes general classification.*

# *Theatre Changes*

New operator of the Hastings, Hastings-on-Hudson, N. Y., is the Hastings Amusement Co., Inc. Irving Stern is president and Samuel Feir, secretary-treasurer.

### Plans Brooklyn House

Anthony Paolilo has filed plans with the city for the erection of a new house at Ave. U and East 2nd St., Brooklyn.

### Acquire Bronx Theatre

New operator of the Beach, Bronx, is the Beach Movie Corp. Arnold Forman is president and George Weiss vice-president.

### Buys Jersey Unit

Gary Theatres, Inc., has taken over operation of the Atlantic, Atlantic Highlands, N. J. Maurice Parks is president.

### Has Yonkers House

J. H. Foss has taken over the operation of the Cameo, Yonkers.

### Buys in Yonkers

Broadway, Yonkers, has been taken over by Parkhill Broadway Corp. (Charles Goldreyer.)

### Shows Italian Films

Irving Place Theatre has changed to an Italian film policy and will be operated by Clemente Giglio.

### Plans Queens House

Ernest Newmann is building a new house at 66th Ave. and Queens Blvd., Forest Hills, L. I. It will be completed about Oct. 1.

### Open in Branchville

Branchville, Branchville, N. J., a 210-seat house, has been opened by Branchville Theatre Corp. Paul C. Rennert is the principal.

# Mexican Film Industry Is Showing Gai

Mexico City, May 21.—Film i
dustry in Mexico is generally in go
shape, better, in fact, than most oth
businesses in this period of acute ec
nomic depression. The public is a
for amusement, and the screen the
them the most for their money.

Exhibitors are doing well at
average top of 30 cents for the b
houses, and the country is enjoyi
the greatest theatre building boom
its history, chiefly because investo
therein find the best and quickest r
turn on their money.

American pictures continue to dom
nate the field. The anti-Nazi a
anti-Fascist attitude of the all-powe
ful Confederation of Mexican Wor
ers has stopped any possible comp
tition from German or Italian produ
while French films are offering so
competition.

The production situation is begi
ning to show improvement after
poor winter because of faulty financi
and competition from Hollywoo
Spanish language films. The Go
ernment has begun the subsidizati
of production, but its financial co
dition is weak and the extent of t
financing is uncertain. The ch
production complaint is for bett
stories. Directors and other produ
tion talent are better paid than her
tofore, and the same is true of pla
ers, with producers complaining th
the demands of the strong lab
unions are responsible for the i
creased production costs.

## *Bill Banning Duals Dropped in Illino*

Springfield, Ill., May 21.—Wit
drawal of his bill proposing a ban
double features has been announc
by Rep. Schnackenberg. Other le
islators ridiculed the measure.

Senator Mendell's bills on divorc
ment, censorship and prohibition
children in theatres after 10 p.
are now up for third reading in t
Senate. Illinois exhibitors still r
fuse to take an active part in fighti
the bills, being confident that t
bills have no chance of being pass

## *Albany Votes Tax Upon Admissio*

(*Continued from page* 1)

tickets, failed to make the grade b
fore adjournment, but there is
strong possibility that a special se
sion this summer may enact the sal
tax.

The anti-Bund bill prohibiting th
atre managers from permitting t
assemblage of persons wearing u
forms of foreign governments al
was passed.

## *"Mikado" in Seattle*

Hollywood, May 21.—Universa
"The Mikado" has its coast premie
May 24 in Seattle at the Music Bo
Dave Lipton, studio publicity direct
is arranging the opening.

## *Town Honors Mayer*

St. John, N. B., May 21.—Lou
B. Mayer received this town's acclai
Friday. He started here as a po
boy, son of immigrants.

# rade Chiefs Will Address Allied of N.Y.

(Continued from page 1)

to arrange for the conference and ained Col. Cole's approval. None the units scheduled to attend the nal conference have cancelled reservations, Cohen said.

ohen wrote Lydon in part as fol- :

I want to call your attention to the t that you asked for permission hold the Eastern regional meeting conjunction with New York Al- l, and further, that you wired for said consent immediately that had received the approval to hold same from Colonel Cole.

Of course, you understand that w York Allied had no idea that intended such a meeting and, thermore, only acceded to your re- st after your correspondence on subject. Under these circum- nces, the cancellation of this meet- certainly must reflect negatively inst national Allied and hinders her than promotes the main objec- es we are trying to accomplish.

I do hope, however, that mem- s of your unit including yourself l give us the pleasure of having visit with us as I am certain that y will find at this convention a at many matters of interest, locally l nationally.

'Looking forward to the opportu- of greeting you, I am with kind- regards,

Cordially,
MAX A. COHEN

"P.S. Since dictating this letter, I ve learned that you wired the trade pers advising them of the cancella- n of this meeting. Therefore, under se circumstances, you have left me alternative but to give them a copy my reply to your letter under date May 18."

## ontague Heard At Coast Meeting

Los ANGELES, May 21.—Abe Mon- gue, Columbia general sales man- er, looks forward to a better under- nding in industry relations, he told egates to the company's western gional sales convention here Satur- y. Fifty representatives are attend- g. The meeting ends Monday.

## London Notes

ONDON, May 21.—The Films Coun- at its meeting Wednesday will sider the trade's memorandum on es included in the new budget.

t is believed that the television ad- ory committee's report has impelled Postoffice department to consider establishment of television statutes Manchester, Leeds and Birming- n.

t is reliably reported that the Cine- tographic Exhibitors' Association l the Kinematographic Renters' So- ty (distributors) have asked the stmaster General to refuse permis- n to theatres to show BBC tele- ts.

### To Al, from Ed

**New York, N. Y.,
May 20, 1939.**

**"Mr. W. Al Steffes,
Nicollet Hotel,
Minneapolis, Minn.**

**"Because Allied and M. P. T. O. A. have such widely different approaches to industry problems, and because I feel that the placing of myself and members of my organization on your committee was in jest, and that we would not feel like injecting our viewpoints into your convention, feeling also that whatever came out of the open discussions your board of directors would still speak for the convention, as in the past, I can see no benefits to be derived for your or my organization by my attendance.**

**"I also have meetings scheduled with state M. P. T. O. A. units at this time.**

**"May you have a well attended, constructive convention.**

**Kind personal regards,
(Signed) Ed Kuykendall,
President M. P. T. O. A."**

# Promise U.S. Shorts For BBC Television

(Continued from page 1)

ready has obtained television rights to a number of old Walt Disney subjects through United Artists in London was a primary factor in inducing the American companies to make additional shorts available.

The companies feel that if the universally popular Disney subjects are in use already it would be pointless to withhold subjects less widely known. The fact that B.B.C. is a British government agency, giving an official nature to the request, also figures in the decision.

A reasonable price will be paid for use of the subjects which are designed for showing as "fillers," that is, they will be used only between television broadcasts of "live" entertainment or events, and not as a program in themselves.

## 4-A Delays Meeting On Television Rule

Meeting of Associated Actors and Artistes of America executive board to determine jurisdiction over the television field scheduled this afternoon has been postponed to Wednesday. A special meeting of Actors' Equity council will be held today to consider the problem.

Dispute between Equity and American Federation of Actors over the production of "Ziegfeld Follies" at the San Francisco World's Fair will be settled at an A.A.A.A. meeting today. Ouestion is whether it is a legitimate stage attraction or an outdoor vaudeville show.

## Housewarming

Heywood-Wakefield Co. on Friday had a "housewarming" at its redecorated show room and offices at 1 Park Ave. Company officials present were Richard N. Greenwood, president; H. C. Perry, Seth Heywood, F. K. Hill, Raymond S. Reed, Leslie Kinley, Carl B. Lugbauer and others.

# U.S. Indicates Less Than 10 Trust Actions

(Continued from page 1)

permits the Government to withhold, until 30 days before trial, the name of any witness who fears reprisals. It is possible that the prosecution may decide to take advantage of this loophole and refuse to name any except those no longer doing business with any of the defendants.

On the other hand, some attorneys believe that the Government may respect the spirit of the order and submit all names except where the witness has a genuine fear of reprisals.

If the Government does not act in good faith, it was also pointed out, it may lay the basis for the rejection of the list at the later date. If such rejection were upheld by the court, the Government would be precluded from offering any evidence bearing on the issue of coercion.

## International Sells Its Own Equipment

In connection with the new Western Electric Mirrophonic "Master Sound" system for theatres, introduced May 15, it had been reported that it would be available from Erpi licensees.

International Projector Corp., which manufactures its own sound system under Erpi license, states that it will continue to sell only its own equipment. Erpi equipment is being distributed in the foreign market.

## Halliday New Para. Studio Story Editor

Richard Halliday, eastern story editor for Paramount, will be transferred to Hollywood where he will succeed Manny Woolf as studio story editor. Woolf will supervise the Paramount writing department, which he has been doing in conjunction with the story editorship. Halliday will go to the coast after a vacation.

## Jed Harris on Coast

HOLLYWOOD, May 21.—Jed Harris, New York stage producer, is here. He negotiated the sale of the film rights of "The Flying Yorkshireman" to RKO as a vehicle for Eddie Cantor, and his present trip was to close for the film rights of "Our Town" to Sol Lesser. He has no plans to enter film production.

## Study Foreign Prints

HOLLYWOOD, May 21.—Academy Research Council committee on foreign releases is studying the results of a survey of foreign release print condition, technique and procedure. Gerald M. Best of Warners is chairman.

## Allen Joining Famous

Alfred A. Allen, manager of the Philadelphia Orchestra, is resigning to join Harry Edington's Famous Productions, which will release next season through Universal.

## Loew's Gives $10,000

Loew's, Inc. has made a $10,000 contribution to the Greater New York Fund, it was announced by Fund authorities over the weekend.

### Missouri's Ascap Bill Faces Defeat

**Jefferson City, Mo., May 21.—The House criminal jurisprudence committee has put a "Do not pass" notation on the anti-Ascap bill introduced by Representatives Turner and Hamlin. This is a reintroduction of a measure that had been offered earlier in two bills, both of which were killed by the Senate and the house revision committee.**

## MGM Office Staffs Meet in Chicago

CHICAGO, May 21.—Fifth of a series of M-G-M regional meetings for office managers, bookers and checking supervisors was held here Saturday and Sunday.

Five branches were represented, as follows: Chicago—John G. Kemptgen, office manager; Edna Frank, David Moskovitz, Walter Bennin, Harry A. Hopkins, Arthur O'Toole, Charles Vetrover. Detroit—Gilbert L. Becker, office manager; John J. Dembeck, A. W. Fitzgerald, W. B. Potts.

Indianapolis—F. B. Gauker, office manager, D. S. MacLeod, D. W. Taute. Milwaukee—Joseph H. Imhof, office manager, A. J. Sontag, William Sorenson. Minneapolis—A. C. Putz, office manager, Arthur Zuelch, George J. Deutz.

Home office representatives included A. F. Cummings, C. K. Stern, Joel Bezahler, P. D. Agnew, William Brenner and M. L. Simons.

## Monogram Forming Non-Theatrical Unit

Establishment of a non-theatrical division here, supervised by Joseph A. Kehoe, is announced by Monogram. Each Mongram branch in the country has similarly set up such a department to handle the release of films for engagements which do not compete with regular theatres.

### Western Budgets Raised

HOLLYWWOOD, May 21.—Monogram has set higher budgets for western production. It will release three series of outdoor dramas.

## Cosmocolor Deal Set By Franklyn Warner

HOLLYWOOD, May 21.—Franklyn Warner, president of Fine Arts Pictures, Inc., today announced the purchase of a large block of stock in Cosmocolor, new color process, and plans to produce six pictures in color. The first will be "Trouble Over the Pacific" with a $150,000 budget. Although Fine Arts releases through Grand National, no deal for distribution of the color films will be announced until a realignment of G. N. schedules is made, Warner said.

### Six Shows Close

**Six legitimate shows closed on Broadway with their Saturday night performances. They were "Swing Mikado," "Mexicana," "Day in the Sun," "Kiss the Boys Goodbye," "Mamba's Daughters," and "My Heart's in the Highland."**

# Bill in Florida Aims to Tax Film Grosses

TALLAHASSEE, Fla., May 21.—Amusements, excepting race tracks and those from which receipts go to religious or fraternal organizations, would be subject to a 10 per cent gross receipts tax under a bill to be introduced in the house by Representatives E. Clay Lewis and Guy M. Strayhorn.

The levy would be made on theatres, baseball parks, tent shows, athletic events of other than a collegiate nature, Lewis said, adding that the tax should bring between $1,500,000 and $2,000,000 per year, or enough to make up for the gross receipts tax on merchants which has been repealed in the Senate and appears likely to be repealed in the House.

## *Federal Court Puts Gregg on Probation*

CHICAGO, May 21.—R. E. Gregg, operator of Pan-American Film Laboratories, who pleaded guilty in Federal Court last week to violation of the copyright law by making unauthorized prints of films, on Friday was placed on probation for six months by Federal Judge Sullivan. At the same time, Judge Sullivan formally dismissed a conspiracy count against Gregg and Barney Gold, an associate, but granted the Government permission to reinstate it later if found desirable. The Copyright Protection Bureau succeeded in tracing the unauthorized prints to Gregg.

### Denies Connection with Firm

CHICAGO, May 21.—John R. Freuler, president, American Film Corp., wants it made clear that his company has no connection with the Pan-American Film Laboratories. Freuler says that he intends to return actively to the industry.

## *Distributors Fight Canada Profit Tax*

TORONTO, May 21.—Canadian distributing companies are protesting the decision of Finance Minister Charles Dunning to raise the special tax on excess profits sent out of the country to home offices, the increase being from two percent to 5 percent on the total amount of such cash payments.

The move, which became effective with the tabling of the budget in the Canadian House of Commons, represents the restoration of the super-tax to its original level, a reduction to two percent having been obtained when distributors made vigorous protests to the Department of Finance.

## *'City' Opening Friday*

"The City," four-reel documentary film which dramatizes city planning, will open at the Science and Education Building at the World's Fair next Friday, and will be shown to the public during the period of the Fair.

# *Hollywood Previews*

## *"Ex-Champ"*

*(Universal)*

HOLLYWOOD, May 21.—Everybody knows that Victor McLaglen is a former pugilist, but it's taken Hollywood all this while to get around to giving him an ex-pugilist to play. He does it as if he'd been waiting eagerly for a crack at the role. His performance of the ex-champ in this ringside melodrama is realistically simple and powerfully plain, a portrayal from which the many actors who have undertaken similar assignments without benefit of ring experience may take valuable lessons.

The ex-champ played by McLaglen is an earnest fellow who has invested his life's earnings in the education of a son who goes high-hat on him and marries a socialite while pretending to be an orphan. Nan Grey, the ex-boxer's daughter, interests him in training Tom Brown for a match with the champion. On the eve of this match the ex-champ learns his boy has spent money not his own and, in an effort to save him from exposure, plans to throw the fight. The surprise ending is a happy one.

McLaglen's excellent performance as the ex-champ is balanced by William Frawley's humorous portrayal of his buddy. Ably directed by Philip Rosen from a screenplay by Alex Gottlieb and Edmund L. Hartmann based on Gordon Kahn's story, the film is free of mock heroics and emotional excesses commonly found in fight pictures, strong in directness and plainness. Jack Otterson's settings and associate producer Burt Kelly's general arrangements are in key.

Running time, 72 minutes. "G."* ROSCOE WILLIAMS

## *"The Gorilla"*

*(20th Century-Fox)*

HOLLYWOOD, May 21.—The zany Ritz Brothers are on the loose again, this time in a new version of an old thriller, "The Gorilla," in which they cavort as three private detectives engaged to guard the occupants of a house honeycombed with mysterious passages. Chief attributes of the picture are the antics of the Ritzes, who contribute nothing new in their characterizations, the suspense and laughs created by a real and a bogus gorilla, and comedy contributed by Patsy Kelly. Others in the cast are Anita Louise, Lionel Atwill, Bela Lugosi, Joseph Calleia, Edward Norris, Wally Vernon, Paul Harvey and Art Miles.

Containing nostalgic items of the silent film era's posterior buffeting, the story's action takes place in an old house, occupants of which are menaced by "The Gorilla," a notorious murderer. The common ruse of supplying a multitude of suspects is applied, with the climax coming as Harry Ritz uncovers the real criminal.

Running time, 67 minutes. "G."* VANCE KING.

---

*"G" denotes general classification.*

## *Enroll Anti-Fascist Hollywood Writers*

HOLLYWOOD, May 21.—A membership drive will be started this week by the League of American Writers to enlist scenarists in the campaign to fight the spread of Fascism, it was disclosed today. It was first proposed that the group be an intramural part of the Screen Writers Guild, but this idea was rejected. Some SWG members have been anxious for an organization which would stress "cultural activities."

## *Warners Defy Ohio Bank Night Warning*

MANSFIELD, O., May 21.—Warners' Madison Theatre, despite threats by Mayor Hunter that arrests will follow awarding of prizes in Bank Night, will re-establish the game Thursday.

William M. Skirball, Cleveland theatre operator and co-lessee of the Madison with Warners, said:

"I'll be on hand to take the rap if there is one. If necessary the case will be taken into court."

# *Enterprise Plus*

**Harlan, Ia., May 21.—The Browns, father and son, had a problem and enterprise solved it for them.**

**Able to procure only one print of "Union Pacific" and desiring to show the pictures simultaneously at their theatres—the Harlan here and the Harris-Avoca at Avoca—they faced a difficult situation.**

**Avoca is 12 miles from Harlan. The Browns stationed three cars at their theatre here. After the first reel was shown, the car raced it to Avoca. Other reels followed at 20-minute intervals. As soon as a reel was finished at Avoca, it was rushed back to Harlan in time for the next show.**

**A total of 750 miles was covered with the film during the three days' showing at both houses.**

# Para. Parley To Draw 250 To Hollywood

HOLLYWOOD, May 21.—Paramount' 250 delegates to the convention her June 7 to 10 inclusive will be give a royal reception.

They will be met by a band on arriving in San Bernardino and the corted to Los Angeles where busses will take them to the studio for welcoming program.

Business sessions will start Thursday, June 8, with William LeBaron Y. Frank Freeman, Harold Hurley and others making addresses. Nei F. Agnew, general sales manager will outline the new season's program on June 9, followed by a luncheon and screenings. Final event will be a banquet in the Ambassador Hotel's Cocoanut Grove.

## *Dinner at Chicago Honors Salomon*

CHICAGO, May 21.—Civic and religious leaders attended a dinner las night to honor the memory of Haym Salomon, Jewish hero of the American Revolution. Guests saw the world premiere of "Sons of Liberty," Warner short based on the life of Salomon. Guests included Alben W. Barkley, majority leader of the U. S. Senate; Most Rev. Bernard J. Sheil Auxiliary Bishop, Catholic Archdiocese of Chicago; Rev. Duncan H Brown, Rector of St. James Episcopal Church, and Rabbi Michael Aaronsohn, of Cincinnati. Also at the speakers' table were Mayor Kelly, Col A. A. Sprague, Laurance H. Armour, Edgar L. Schnadig and Lester N. Selig.

## *Theatre Leased for Chicago Reel House*

CHICAGO, May 21.—Lease for a 600-seat theatre in the Loop has been signed bv a group which plans to give Chicago its first newsreel house about the first of next year. Site is the new Capitol Building at Randolph and State Sts.

Financial group reported interested in establishing a national newsreel theatre circuit includes Paul Felix Warburg, Angier Biddle Duke, Herbert Scheftel and Edwin J. Reeves. Their first newsreel house is operating in San Francisco. The one here is the second to be made known.

## *Local 52 Confabs*

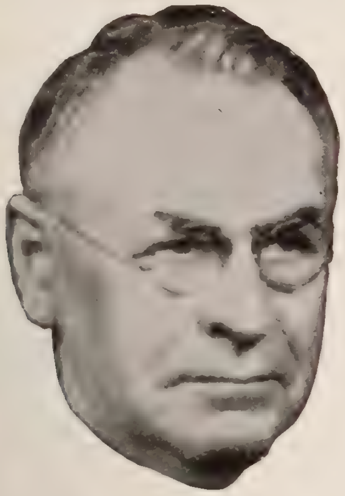
Further conferences between eastern producers and Studio Technicians' Union, Local 52, may be held this week. Discussions Friday failed to produce an agreement but considerable progress was reported.

## *Frank NTS Branch Head*

James Frank, Jr., has been promoted from the sales promotion department of National Theatre Supply to manager of the New York branch, succeeding C. H. Secor, resigned.

## *Sign Lamour and Baker*

Leonard Joy, manager of Victor Recording Co., has signed Dorothy Lamour and Kenny Baker for recordings on the Victor Blue Bird seal.



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The second revision of the sixth edition of F. H. Richardson's Bluebook of Projection will contain between its covers the most advanced data and information on sound reproduction and projection.

The book will be supplemented with a comprehensive group of trouble-shooting charts to help meet every possible emergency in the projection room. . . . It will also include a lightning-fast index system alphabetically arranged for swift, easy reference.

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# Air Monopoly Hearings End; Report in Fall

Washington, May 21.—Having finished its anti-monopoly hearings which began Nov. 14, 1938, the Federal Communications Commission is now studying more than 15,000 pages of testimony and 700 exhibits.

F.C.C. officials predict that the committee, in view of the exceptionally heavy record to be digested, will not be able to make a report to the full commission before September at the earliest.

Included in the record are opinions of network officials, transcription companies, broadcasters and representatives of labor and other organizations interested in broadcasting.

### *Writers Congress Will Debate Radio*

American Writers Congress, meeting June 3 at Carnegie Hall, this year will include a radio session in its agenda for the first time.

Prize-winning shows will be presented and discussed by Arch Obeler of NBC, Robert Shayon of Mutual and Norman Corwin of CBS. Jerry Danzig of Mutual, Lew Titterton of NBC and Max Wylie of CBS, in another session, will discuss writing for radio.

In a round-robin on broadcasting, Phil Cohan and Evans Roberts of the Federal Radio Theatre and the others will discuss radio generally. H. V. Kaltenborn will be chairman of the round-robin.

### *Pillsbury Renews Show*

Pillsbury Flour Mills Co., sponsoring the dramatic serial, "Women in White," heard Monday through Friday on the NBC-Red, has renewed the series for another year, effective May 29. Series is broadcast from 10:45 to 11 A. M. The Hutchinson advertising agency has the account.

### *Rogers to Farnsworth*

Cincinnati, May 21. — John T. Rogers, vice-president of the Crosley Corp., in charge of the private brands division, has been appointed vice-president and treasurer of the Farnsworth Television and Radio Corp., at Fort Wayne, Ind.

### *Wire Programs Formed*

Dover, Del., May 21.—Wire Programs, Inc., has been incorporated here to deal in radio broadcasting, with a capital of 100 shares, no par value. The incorporators are David H. Jackman, John E. Cosgrove, and Edwin E. Lindgren of New York.

### *Install Television In Gramercy Park*

**Gramercy Park Cinema will install a General Electric television receiver in its lounge early in June. The house will be the fifth local theatre to be equipped with television. Sam S. Kestenbaum is manager of the Cinema.**

# *Radio Personals*

JOHN TAYLOR, script supervisor at the Compton agency, to Chicago for a week of conferences with Irna Phillips, Jane Cruisenberry and Paul Rhymer, authors of three Chicago-originated shows handled by Compton.

William S. Paley, CBS president, has been elected a director of the Pan American Airways Corp. . . ."Chuck" Goldstein, of the "Modernaires" is father of a baby girl.

Judy Canova and Nick Lucas have been added to the NBC television cast for this week's schedule.

Nanette Steinhauser, daughter of Si Steinhauser, radio editor of the Pittsburgh Press, arrives tomorrow to appear on Dave Elman's "Hobby Lobby" . . . Dave Driscoll of Mutual's special events staff will leave for the Indianapolis speedway races May 27 as guest of Capt. Eddie Rickenbacker . . . Ben C. Featherston, formerly with Life Office Management Association, has joined the media department at the Compton agency.

### *Horn Show to Move; 10 Years on WABC*

The Horn and Hardart Hour, broadcast over WABC for the past 10 years, and the oldest client on the CBS key station, will shift to WEAF, effective June 4, on a 52-week, non-cancellable contract. It will be heard on Sundays from 10:30 to 11:30 A. M. until Aug. 27. Effective Sept. 3 it will be heard from 11 A. M. until noon.

### *Lyons, Daniels on BBC*

Ben Lyons and Bebe Daniels, former Hollywood stars now residing in England, will headline the BBC Music Hall program June 10, which will be short-waved here and carried by the Mutual network from 3 to 4 P. M.

### *RCA Shifts Underhill*

Joseph L. Underhill, for 10 years manager for RCA Photophone, Ltd., London, has returned to Camden to take up a new post under the direction of Max C. Batsel, chief engineer.

## *F C C Calendar*

Washington, May 21.—Federal Communications Commission has made public its calendar of hearings on broadcasting cases as follows:

May 23: Application of WREN, Lawrence, Kan., for authority to move studio to Kansas City, Mo., and transmitter to Kansas City, Kan.

May 24: Application of Patrick Henry Broadcasting Co. for a new 1,420-kilocycle station at Martinsville, Va., with 100 watts power night, 250 watts day.

May 25: Applications of Sentinel Broadcasting Corp. for a new 620-kilocycle, 1,000-watt station at Salina, N. Y.; Civic Broadcasting Corp. for a new 1,500-kilocycle, 100-watt station at Syracuse; WHJB, Greensburg, Pa., for extension of time from day to unlimited and increase of power from 250 to 1,000 watts, and M. L. Medley for a new 1,370-kilocycle station at Cookeville, Tenn.

# Bill Granting FCC Copyright Control Offered in House

Washington, May 21.—Bill granting Federal Communications Commission full authority over the licensing of copyrighted works has been introduced in the House by Representative Moser and referred to the Committee on Patents.

The bill proposes that where a copyright holder refuses to grant permission for the performance or printing of his work, the F.C.C. may grant such license and fix the royalties without the consent of the author or dramatist. F.C.C. would first determine if such licensing is in the public interest and then hold hearings to determine what price to fix. The bill does not limit the commission's jurisdiction to radio, and it would affect all fields using copyrights, including films.

### *'Fu Manchu' Series Booked in Michigan*

King-Trendle have acquired the "Shadow of Fu Manchu" series for their Detroit station, WXYZ, with possible expansion to the Michigan network indicated. Allen Campbell, general manager of King-Trendle, and William Anderson of Radio Attractions handled the deal. Latter firm is distributor.

In another contract for the same series, the Des Moines *Register* and *Tribune* is using the discs as promotion for the paper. Stations are KRNT, Des Moines; WMT, Cedar Rapids, and KMA, Shenandoah.

### *Hearing Set June 1 On Broadcast Rules*

Washington, May 21.—The F. C. C. has set June 1 as date for hearing of arguments upon exceptions to the proposed new rules governing regular broadcast stations and standards of engineering practice. The new rules were drafted by Commissioners Norman S. Case, Commander T. A. M. Craven and George Henry Payne.

### *Air Liebowitz Dinner*

Harry Richman, Jimmy Durante, Orson Welles, Lou Holtz, Milton Berle and Harry Hershfield comprised the entertainment at the testimonial dinner to Attorney Samuel Liebowitz at the St. George Hotel yesterday, which was broadcast by WMCA.

### *Babb Joins Brewers*

J. Vance Babb, who resigned as manager of the NBC press department last year, has joined the United Brewers Industrial Foundation as director of publicity. Babb begins his new work today.

### *Resigns at WSAI*

Cincinnati, May 21.—C. J. Thornquist, sales manager of WSAI, has resigned. Dewey Long, general manager, is handling his duties until a successor is named.

### *Set WMCA Series*

Allie Lowe Miles has a new series of programs over WMCA on Sundays from 7:30 to 8 P. M., titled "Falling in Love."

# Banner LINES

A SHORT while ago, followi
some claims by Lou Ruppe
CBS press department, Clay Morga
of NBC addressed to this column
good-natured complaint about CBS i
accuracies. Now a note from Rupp
says that Morgan should move o
of a glass house.

Ruppel asks us to call Morgan's a
tention to the fact that he is no l
managing editor of the Chicago T
Morgan, it seems, persists in sendi
letters to Ruppel in Chicago, eve
though, writes Ruppel:

"I've told him about the error
his mailing list several times at Dut
Treat luncheons. Would *you* mi
calling it to his attention? It mig
help."

Anything for a friend, sez we. T
attention of Morgan is hereby call
—we hope.

Incidentally, we like the pencil n
tation written by Gail Borden, Ru
pel's successor on the *Times,* on t
last letter sent by Morgan to Rupp
in Chicago. In forwarding the le
ter to CBS Borden jotted down:

"Your pal sure wastes stamps."

▼

**Warner Bros.' "White Banners," whose radio rights are owned by T. W. Radio Productions, will most likely be sold to a sponsor within the week.**

▼

If early indications are any criteri
—and we believe they are—th
Frank Hummert again has prov
that he is the smartest and shrewde
trader in radio, in arranging that ti
up with WMCA whereby the loc
station rebroadcasts during evenin
hours transcribed versions of t
Blackett-Sample-Hummert agency
daytime serial scripts.

We know of no other agency wi
enough gumption to attempt such
revolutionary arrangement. We ca
conceive of some agency timidly pu
chasing perhaps one or two 15-mi
ute periods for local duplication
network shows, but to step forth a
buy a block of time of two hours,
a one-year non-cancellable basis—th
required daring. It deserves the su
cess it is achieving.

▼

*Irving Mansfield is handling t*
*Eddie Cantor account, the Tom Fi*
*dale publicity office having lost t*
*banjo-eyed comic to Mansfield.*

▼

The signing of Nick Kenny, son
writing columnist of the New Yor
*Mirror,* and his brother Charley,
write songs for M-G-M pictures,
further proof that the boys are hea
ing for an AA Ascap rating If the
do that before the year is out the
will have accomplished it in the unb
lievably short span of two years.

In the past two years they hav
turned out eight consecutive hit
which is a better batting record f
such a span than even Irving Berli
or Jerome Kern have.

The climb started with "Carelessly
and continued consecutively wi
"Cabin of Dreams," "Goldmine i
the Sky," "While a Cigarette W
Burning," "It's a Lonely Trail Wh
You're Travelin' All Alone," "Cath
dral in the Pines," "I Need a Frien
(from the Paramount picture, "Bac
Door to Heaven"), and their lates
"Little Skipper."

—By Jack Banne

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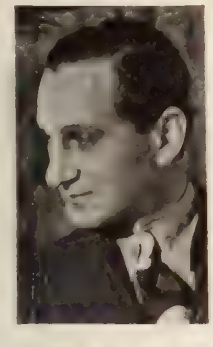
## llied Forum May Get New Draft of Code

### ew York Unit Will Open Convention Today

Distributors' committee intends to ve the trade practice code in sufently completed form by Thursday be able to reveal the revised arration prolure at the ien forum of New York lied conven-n that afteron.


Max A. Cohen

Max A. hen, presint of the unit, ich opens its st annual conntion at the otel Astor toy, has invited -industry paripation in the rum, which is pected to us on the code.

t has been indicated that New rk Allied is dissatisfied with nanal Allied's attitude on the code gotiations. The unit may seek to ve its parent organization continue ively in the negotiations in order make the code effective as soon as ssible.

Harry G. Kosch, counsel for New rk Allied, stated: "I am against vernment intervention of any kind,

(Continued on page 3)

## Coast Flashes

Hollywood, May 22.—J. Cheever wdin, chairman of Universal's rd, and Joseph Seidelman, foreign es manager, left by plane tonight New York. Seidelman sails May on the *Normandie* for two months' y abroad.

Emanuel Silverstone, who remained e on business following U. A. conntion, left tonight for San Francisco ere he will visit exhibitors and at-d fair tomorrow and Wednesday. will stop over two days in Chio on return trip to New York, ere he expects to arrive early next ek.

Varners will produce "City of the gels," featuring Errol Flynn, Olivia Havilland and Alan Hale.

# Allied States Abandons 'Divorce' by Legislation

### Cole Says Organization Puts Faith in U. S. Trust Actions

By AL FINESTONE

Allied States has dropped its campaign to obtain "divorcement" of exhibition from production and distribution by legislation, and will pin its hopes on the Government's anti-trust suit pending in New York to achieve this reform, it is disclosed by Col. H. A. Cole, president.

Cole is here for the New York Allied convention, which starts today.

"To sponsor such bills in 48 different states requires a lot of effort and money," said Cole. He declared his belief in the success of the Government's prosecution to bring about this and other changes in the industry's practices which Allied has sought for years.

The only "divorce" law known to be sponsored by Allied was the North Dakota statute which was repealed this year. Several bills have been introduced in other states, but Allied leaders have disclaimed responsibility.

The organization's leaders had hoped for a Supreme Court decision on the North Dakota statute as a guide to further legislation of the same kind. But repeal of the law prevented an opinion from the high court.

Fate of the trade practice code as far as Allied is concerned will not be determined until the national board meets in Minneapolis on June 13 in conjunction with the national convention.

Cole said that the Allied negotiating committee, disbanded March 1, will not be recalled.

"The distributors' committee has declared that it has made the maximum concessions, and the rest is a matter of phraseology," said Cole. "Under

(Continued on page 3)

## U.S. Ready to File Third Trust Suit on Coast, Report

**Reports were current here yesterday that the Government will file its third anti-trust suit against the industry at Los Angeles in the next few days, possibly this week. Actions are pending in New York and Oklahoma City.**

**Thurman W. Arnold, assistant U. S. Attorney General in charge of the film prosecution, is in Los Angeles, presumably in connection with this matter. Attorney General Frank Murphy leaves Washington for the coast tomorrow, primarily, it was said, to keep a speaking engagement.**

## Film Men in Europe Fight Odds–Wobber

Americans are more pessimistic over the European situation than the film men in Europe themselves, reported Herman Wobber, 20th Century-Fox general sales manager, who returned yesterday from abroad. He attended the company's Paris and London conventions.

"We in America think it is worse than it really is," Wobber said. "Our staffs over there are fighting against great odds but are not discouraged, despite the difficult conditions."

The company is re-establishing Spanish headquarters this week, with M. J. Messeri, formerly in charge of

(Continued on page 3)

## IATSE Dissolves Technicians Union

Hollywood, May 22.—The breach between International I.A.T.S.E. officers and heads of Studio Technicians Local 37 widened today when the Alliance International dissolved Local 37 and created five new organizations to replace it.

Newly-chartered groups, announced by J. W. Buzzell, executive secretary of the Central Labor Council, are: Motion Picture Studio Grips Local 80, Motion Picture Prop and Special Effects Men Local 44; Motion Picture Studio Laborers and Utility Workers Local 727; Motion Picture Studio Chief Electricians, Floormen

(Continued on page 3)

## Showing of Banned Films Protested By Exhibitors

New York theatre men yesterday aggressively expressed their unanimous protest against the showing of "The Puritan," banned by the New York State Censor Board, and all other similar non-theatrical films which compete directly with regular established theatres.

"The Puritan," a French product which is the case study of a murderer-religious fanatic, is the newest picture to arouse the ire of exhibitors.

"The Puritan," whose banning was upheld by the Board of Regents, was shown Sunday continuously from 4 to 9:30 P. M. at the New School for Social Research in an auditorium with a seating capacity exceeding 500, under auspices of Film Audiences for Democracy, a recent merger of Associated Film Audiences and Films for Democracy. A third sponsor was the Theatre Arts Committee.

Illegality of such a showing was circumvented by the requirement that each person pay an "assessment fee" of 50 cents. The law forbids the payment of admission to any banned film.

Spyros Skouras, president of National Theatres, commenting on this illegal competition, said:

"These showings unquestionably are in direct competition with theatres."

Others who agreed with him were Charles Moscowitz of Loew's, John J.

(Continued on page 3)

## Newsreels Vision Ocean Air Speed

**Newsreels are watching the trans-Atlantic airplane service of Pan American Airways, launched Saturday, as a possible means of shipping prints from Europe in far less time than that currently consumed via liners. In its initial flight, the Yankee Clipper spanned the North Atlantic in 26½ hours. Liners cross the ocean in five days.**

# Equity Urges $75 Minimum For All Actors

Issue of a $75 weekly minimum for actors on the legitimate stage was revived by Actors' Equity yesterday. The council elected a committee of eight, headed by E. J. Blunkall, to study the question and report.

Present minimum is $40 but the existing one-year contract expires in August. Appointment of the committee yesterday was made in preparation for the start of negotiations.

Heretofore, Equity has refrained from fixing minimums at too high a scale because it was feared that it might affect employment. Lately, however, Equity has changed its stand and is insisting that other unions make the concessions. When the question of Sunday shows was broached last month, Equity insisted that all other unions consent before a referendum of Equity membership was started. When the stagehands balked, Equity refused to go ahead.

Equity is also resentful at the attitude taken by the Theatrical Managers, Agents and Treasurers' Union. Recently, when a comedy was about to fold, the actors kept it alive (it is still running) by voluntarily accepting minimums and placing the entire cast on a cooperative basis. The T.M.A.T., however, refused to lower its $150 minimum for press agents.

Equity will hold its annual meeting at the Hotel Astor Friday. Bert Lytell, vice-president, will preside.

## B.-K. Records Filed With U. S. in Court

CHICAGO, May 22.—The admission of documents into the court record is still going on in the government's anti-monopoly suit against Balaban & Katz and other majors. This will probably continue throughout the week. The government will then have its auditors examine the documents, after which the case will come up formally for trial.

## Chicago Air Show Rights to Moore

CHICAGO, May 22. — James Moore, RKO talent scout, today closed a deal whereby he will have screen rights to all "First Nighter" radio plays that have been broadcast during the last nine years. Moore will make these plays into three-reelers starting this fall.

## New Stage Show

**Only new Broadway stage production this week is "Clean Beds," by George S. George (Youacca G. Satovsky) which is scheduled to open at the Golden tonight. It is a story of derelicts. Vadim Uraneff directed and Cled, Inc., produced. The cast includes Joseph Holland, Sheila Trent, Nat Burns, Emma Bunting, Pat Gleason, James Welch and others.**

# Purely Personal

MORRIS JOSEPH, Universal New Haven manager since 1914, will be honored today at a silver anniversary cocktail party at the exchange. WILLIAM SCULLY, F. J. A. MCCARTHY and AL HERMAN will go from the home office, and NAT FURST, MAURICE WOLFE, HERMAN RIFKIN and STEVE BROIDY will attend from Boston.

•

HERBERT CROOKER, manager of the Macfadden exhibit at the World's Fair, has been named director of the Macfadden Studio, in charge of the photographic illustrations of the Macfadden publications.

•

HAL HORNE, vice-president of distribution for Walt Disney Productions, returned yesterday from a three-week stay at the studio, accompanied by RICHARD CONDON of the Disney eastern publicity office.

•

CHARLES F. RIESNER, directing WALTER WANGER'S "Winter Carnival," has completed his second book on child psychology, "The Inch-Highs in Grown-Up Land."

•

ARDIS GAINES, New York girl, has been signed by Warners and her first role will be opposite JOEL MCCREA in "Career Man." Her film name will be BRENDA MARSHALL.

•

MR. and MRS. GEORGE ROY of the State, Eugene, Ore., have registered at the RKO World's Fair headquarters.

•

HARRY M. BESSEY, secretary-treasurer of Altec, has returned from a 10-day trip through Mississippi, Arkansas and Alabama.

•

AUSTIN KEOUGH, Paramount vice-president and secretary, has returned to New York from a month's vacation in the south.

•

GEORGE PALMER PUTNAM and MRS. JEAN-MARIE CONSIGNY JAMES of Los Angeles were married over the weekend. They are en route east.

•

MRS. HAL ROACH and her daughter, MARGARET, leave New York tonight for their home in Hollywood after 10 days in New York.

•

MOE HOWARD, LARRY FINE and JERRY HOWARD, the Three Stooges, sail tomorrow on the *Queen Mary* for their first bookings abroad.

•

CASEY ROBINSON, Warner writer, has left Hollywood for New York, and will go to Europe for an extended vacation.

•

OSCAR DEUTSCH, head of the Odeon circuit in England, has been named a director of Denham Laboratories, Ltd.

•

NAT I. WALKEN of the Grand and State, Salem, O., is convalescing from an appendicitis operation.

•

PAUL ROTHA, English documentary film producer, is the author of a book, "Documentary Film."

•

BEN GOETZ, M-G-M production head in England, leaves Wednesday on the *Queen Mary* with MRS. GOETZ.

LOUIS B. MAYER, M-G-M vice-president, and HOWARD STRICKLING, studio publicity head, are en route to the coast from an eastern visit.

•

CHESTER L. TOBIAS, superintendent of the laboratory of the Motion Picture division of the Army Air Corps at Wright Field, Dayton, is in Hollywood studying laboratory procedure for two months.

•

J. CHEEVER COWDIN, Universal board chairman, arrives in New York today from the coast by plane. ANTHONY PETTI, assistant to COWDIN, is en route to New York by train.

•

ROY HAINES, eastern and Canadian sales manager for Warners, left yesterday for a trip to the Montreal and Toronto branches. He will return at the end of the week.

•

GEORGE ROBERTS, 20th Century-Fox district manager in Cleveland, and I. J. SCHMERTZ, branch manager, are due this week for two days of home office conferences.

•

ERNEST A. MACKENNA, Ross Federal executive, and DORIS M. WILLIAMS of New Orleans will be married in that city June 28.

•

VERA ZORINA has left for Hollywood to start in Warners "On Your Toes."

## 'Lincoln' Premiere To Draw Notables

SPRINGFIELD, Ill., May 22.—Alice Brady, Arleen Whelan, Binnie Barnes, Eddie Collins and Cesar Romero will head a contingent of Hollywood stars who will attend the premiere of 20th Century-Fox's "Young Mr. Lincoln" here on the night of Memorial Day. More than 100 writers and many notables will attend. There will be a coast-to-coast broadcast.

## Sheriff Literary Adviser for Korda

LONDON, May 22. — Alexander Korda has appointed R. C. Sheriff, author, as literary adviser in the new organization of Alexander Korda Film Productions. His first assignment is on "Thief of Bagdad," for which he wrote the screenplay.

## Rhoden on Committee

KANSAS CITY, May 22.—Elmer C. Rhoden, head of Fox Midwest Theatres, Inc., has been named a member of the executive committee of the Forward Kansas City Committee. The committee was formed last week by leading Kansas City civic and business leaders to push cleanup of the local political mess.

## 'Follies' Dispute

Another meeting of Associated Actors & Artistes of America will be held today to determine whether American Federation of Actors or Actors' Equity has jurisdiction over "Ziegfield Follies" at the San Francisco World's Fair. Yesterday's conference failed to reach a decision.

# Roth Gets New Republic Post; Benjamin Too

J. R. Grainger, Republic president, yesterday announced appointment of William Benjamin as central-midwest district sales manager.

Beginning May 29, Benjamin [illegible] supervise the Kansas City, St. Lo [illegible] Omaha and Des Moines territories, headquartering at Kansas City. These exchanges were formerly handled by Max Roth, midwest sales chief, who will concentrate on the Chicago, Milwaukee, Indianapolis and Minneapolis branches. Detroit will be transferred from the central division under the new setup.

Benjamin, in New York conferring with Grainger, leaves for his territory the end of the week.

Grainger also announced that Arthur Newman has been named Republic's sales representative in the Albany area.

## Collective Buying For Actors Urge

All actor unions have been requested to send delegates to a Consumers' Cooperative Conference b Paul Turner, counsel to Associate Actors and Artistes of America. N date has been set for the meeting Plans have been laid for cooperativ purchasing by actors.

Although the idea has been afoo for some time, the recent wholesal eviction of actors from midtown hotel to make room for World's Fai visitors has stimulated the movement Principal purpose of the plan is t permit actors to increase their purchasing power by collective buying.

## Reelection for All Para. Officers See

No change in Paramount officers i expected to occur at the annual election about June 22, following the annual meeting of stockholders. Reelection of Barney Balaban, president Adolph Zukor, chairman; Stanto Griffis, executive committee chairman Austin Keough, secretary, and a other officers is anticipated.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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# llied Drops Divorcement' By Legislation

(*Continued from page* 1)

ese circumstances, I can see no cessity for further negotiations."

At the Minneapolis convention, e will be an "open forum" on the ue, with distributor and exhibitor okesmen participating. This, said le, will be in the nature of a nass meeting," and while a vote on e code will be taken of the independent exhibitors present, Cole makes ear that Allied will not be bound by e result.

"Allied's policies are determined lely by vote of the directors, who present every affiliated unit," he id. "I am not saying that convenon vote may not have a tremendous ect on the decision of the board, but any of the ballots will be cast by exbitors from the Minneapolis area.

"Allied's board, however, reprents all sections of the country, and vote by the directors would be truly presentative of Allied sentiment nanally."

### Cites Oklahoma Suit

Cole described the Government's antrust suit in Oklahoma City, involvg the Griffith circuit and major disbutors, as a "complement" to the ajor action pending in New York.

"It was inevitable," he said, "that e Department of Justice would move ainst independent circuits with large ying power when exercised unfairly ainst competition.

"The Oklahoma suit will determine e 'right to buy' for which Allied has ntended and which the Department Justice now recognizes. The New ork suit will determine other issues.

"It seems to me that the major comnies would find it to their advantage recognize the 'right to buy' as holdg possibilities for greater revenue rough free competition.

### More Suits Called Certain

"The Government is not stopping th these two suits. I believe there ll be more.

"But it is not too late for the disbutors to stop the Government's mpaign. They can do it by making equate concessions.

Applications have been filed for llied units by exhibitors in three ates.

## New York I.T.O.A. Defers Meeting

**Harry Brandt, president, has postponed a regular meeting of the New York I. T. O. A. scheduled for tomorrow in order to permit members to attend the New York Allied convention.**

**The I. T. O. A., a Greater New York City organization, is cooperating with Allied, which is a state unit. Brandt's group has a booth at the Allied convention with a large banner on which is inscribed a welcome to visiting exhibitors.**

# 30 DISPLAYS AT ALLIED

## *Exposition to Show N. Y. Exhibitors Most Modern Theatre Equipment*

Thirty displays, including theatre equipment and accessories and film company exhibits, comprise the exposition phase of the New York Allied convention opening at the Hotel Astor today. The exhibits are just outside the grand ballroom where the sessions will be held.

Manufacturers and dealers have set up their most up-to-date equipment, with company representatives on hand to demonstrate or explain new developments.

Many exhibitors will get their first glimpse of television at an RCA receiver which is scheduled to pick up daily NBC programs. Adjacent to it is a demonstration of an RCA cellular speaker. Ed Cahill, Homer Snook, Ed Auger, E. T. Jones and Bernie Scholtz will be present.

International Projector Corp. has set up its Simplex "Four Star" theatre reproducer incorporating the company's latest developments. Herb Griffin, vice-president, and others will be there.

### Hornstein Exhibit Largest

The largest exhibit is that of Joe Hornstein, who has displays for Ideal Seating, Brenkert Light Projection Co., Motiograph sound equipment, Robin Imperial generators, Raytone sound screens and A. & M. Karagheusian rugs. In addition to Hornstein, Carl Brenkert and L. W. Davee, Motiograph eastern division manager, will be on hand.

Sanitary Automatic Candy Co., headed by Charles C. O'Reilly, formerly head of the Theatre Owners' Chamber of Commerce, will distribute free samples at a display of attendant and automatic types of vendors. Ben Sherman will be present.

National Carbon Co. has a display board of carbon trims for projection and studio lighting. W. C. Kunzmann, P. D. Ries and F. Hohmeister will be there.

American Seating Co. will have the latest in theatre seating and models installed at the World's Fair. On hand will be Kenneth Hunter, James Vermeulen, L. N. Olmstead and R. W. Wood.

Dictograph Products Co. (Walter Smith and Willard Mears) has a "hearing well' to demonstrate aids for patrons who are hard of hearing.

Vallen, Inc. will show curtain tracks and controls. E. J. Vallen of Akron, president, and Lee Spivack, eastern representative, are here. Spivack has just opened a New York office at 229 West 42nd St.

National Screen Accessories (Charles L. Casanave, general manager) has lobby displays. National Screen Service officials also will be mingling with the exhibitors.

### Altec Is Represented

Altec Service Corp. will be represented by L. W. Conrow, president, Bert Sanford and others, to explain its theatre service.

Film companies are represented at the exposition. Several cutouts of Leo the Lion as a traffic cop guide visitors to the M-G-M display. W. R. Ferguson, Eddie Carrier and Capt. Volney Pheifer will greet visitors.

Monogram's booth is decorated with silk banners announcing next season's product. Lou Lifton and Russell Bell will be on hand, and W. Ray Johsonston, Edward Golden and George W. Weeks will attend.

An electric flasher will call attention to the Columbia booth, where Lou Weinberg, Lou Astor, Maurice Bergman and Frank McGrann will greet visitors.

Paramount, Warners, RKO, 20th Century-Fox, Universal and Republic are also represented. H. M. Richey is the RKO greeter.

Other exhibits include National Theatre Supply, which has equipment and accessories displayed in three booths; Premier Scenery Studio, National Committee for Education (Book Night), Novelty Games Co., Dennis Games, Hollywood Advertising Co. and C. S. Ashcraft Manufacturing Co.

# IATSE Dissolves Technicians Union

(*Continued from page* 1)

and Lamp Operators Local 72, and Motion Picture Studio Projectionists Local 165.

Buzzell declared the International move was to combat radicalism and CIO leanings of Local 37 members. All members of Local 37 are being given member-at-large status and will be officially notified to take out cards in newly-created groups.

Splitting up of Local 37 came as the trial of counter suits for control of the organization was called today in Superior court. Denying a motion for continuance made by the International, Judge Willis ordered trial to proceed tomorrow morning.

Floyd M. Billingsley, International vice president, is in town, directing the changeover.

# Film Men in Europe Fight Odds–Wobber

(*Continued from page* 1)

Spain, as managing director, Wobber said. The main problem there is frozen currency accumulations.

Wobber said that the British film industry is not worried about television. He had a receiver with 12 by 15-inch screen in his hotel room in London and programs, two or three hours daily, were satisfactory. But in his opinion television is still primitive and "will need a lot of money for development."

Four of the 10 films being made for 20th Century-Fox in England will be distributed here during 1938-'40. Two of these may be Gracie Fields pictures.

This was Wobber's first trip to Europe in 12 years. He was accompanied by Mrs. Wobber. He expects to leave soon for the coast prior to the start of the S. R. Kent Drive.

# Allied Meeting May Get New Draft of Code

(*Continued from page* 1)

whether legislative or judicial. I am in favor of conciliating all differences."

National Allied's policy is at variance with this view.

Sales executives and company lawyers worked on a rephrasing of the code's arbitration provisions at a seven-hour session yesterday. The lawyers are to meet today, and their draft will be submitted at a joint conference with sales heads later in the week. Upon final approval, the draft will be made available to exhibitors immediately.

**Harry G. Kosch**

New York Allied's convention will start at noon today with a meeting of directors and state officers. The first general session is scheduled for 2 P. M. in the Astor's grand ballroom.

This evening the reception committee, including representatives of film companies, will entertain the delegates. Those who register will be given tickets good for tonight's performances at the Radio City Music Hall, Capitol, Paramount and "Juarez" at the Hollywood.

Col. H. A. Cole, national Allied president, and Abram F. Myers, general counsel, will speak at tomorrow's session.

## *Showing of Banned Films Is Protested*

(*Continued from page* 1)

O'Connor of RKO Theatres, Monroe Stein, general counsel for the Cocalis Circuit, and Samuel Rosen, vice-president of Fabian Theatres. Rosen said:

"It stands to reason that people attending the showing of such films, regardless of the locality, are kept away from the theatres in that locality."

Such films are used mostly to raise funds for organizations. Similar shows were recently held by the American Newspaper Guild, which had screened "The Puritan," in addition to "Stolen Life," "Confessions of a Nazi Spy" and "The Mikado."

## *Sales Policies Told At Columbia Parley*

Hollywood, May 22. — The third and final day of Columbia's western sales convention today was devoted to explanation of sales policies governing the marketing of 40 features, 16 westerns, four serials and 120 shorts.

The sales force was being schooled in importance of Directors Frank Capra, Wesley Ruggles, Frank Lloyd, Howard Hawks, Alexander Hall and Rouben Mamoulian in the new season's product.

A. Montague, general sales manager, and Rube Jackter, assistant, will leave tomorrow for New York.

This Stops Fast Drivers

# This

DARK VICTORY
JUAREZ
DODGE CITY
THE OKLAHOMA KID
WINGS OF THE NAVY
YES, MY DARLING DAUGHTER
DAWN PATROL

Never a let-up! Fall *and* Wint

**NOWHERE ELSE IS THERE ANYTHIN**
**PART OF OUR SUMME**

*For the Summer!* *For*

**JUAREZ • THE KID F**

Muni and Davis in the No. 1 dramatic attraction of all time! Funnier and speedier than '

*For the Summer!*

**HELL'S KITCHEN • A**

First big starring show for the 'Dead End' Kids since 'Crime School'! John Garfie

*For the Summer!*

**THE DEVIL ON WHEELS**

Most unusual, most thrilling story of dare-devil drivers! (Pat O'Brien, John Payne, Ann Sheridan)

# ps Fast Talkers!

KID FROM KOKOMO
AMILY AFFAIR
MAN WHO DARED
L'S KITCHEN
Y MADE ME A CRIMINAL
FESSIONS OF A NAZI SPY
H DAWN I DIE

BROTHER RAT
DEVIL'S ISLAND
ANGELS WITH DIRTY FACES
THE DEVIL ON WHEELS
BLACKWELL'S ISLAND
THE SISTERS
FOUR DAUGHTERS

COMPARE!

## pring *and* Summer!

## AT APPROACHES EVEN
## HEDULE!

*nmer!*

**M KOKOMO**

ayne Morris, Pat O'Brien, other top names!)

*or the Summer!*

**MILY AFFAIR**

ughters, and 'Four Daughters' cast and director reunited!

*For the Summer!*

**ACH DAWN I DIE**

Co-starring Cagney and Raft! Terrific follow-up for 'Angels'!

# Warners are on top!

*The Record is Here!*
*The Record Proves It!*

JACK L. WARNER • HAL B WALLIS
*In Charge of Production* *Executive Producer*

## 'Heaven' Hits Big $23,600 In L. A. Spots

Los Angeles, May 22.—"East Side of Heaven" and "Twelve Crowded Hours" scored heavily, with a total of $23,600 at two houses, $11,600 at the Hillstreet and $12,000 at the Pantages. Estimated takings for the week ending May 17:

**"Stolen Life" (Para.)**
4-STAR—(900) (40c-50c) 5 days. Gross: $2,700. (Average, $3,250)

**"East Side of Heaven" (Para.)**
**"Twelve Crowded Hours" (RKO)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $11,600. (Average, $6,500)

**"The Hardys Ride High" (M-G-M)**
**"Society Lawyer" (M-G-M)**
LOEW'S STATE—(2,500) (30c-$1.) 7 days Gross: $14,700. (Average, $14,000)

**"East Side of Heaven" (Para.)**
**"The Saint Strikes Back" (RKO)**
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $12,000. (Average, $7,000)

**"Union Pacific" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days, 3rd week. Stage: F. & M. revue. Gross: $16,500. (Average, $15,000)

**"Confessions of a Nazi Spy" (W.B.)**
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $9,700. (Average, $14,000)

**"Confessions of a Nazi Spy" (W.B.)**
WARNER BROS. (DOWNTOWN)—(3,500) (30c-65c) 7 days, 2nd week. Gross: $9,500. (Average, $12,000)

**"The Hardys Ride High" (M-G-M)**
**"Society Lawyer" (M-G-M)**
WILSHIRE—(2,300) (30c-$1) 7 days. Gross: $10,900.

## 'Pacific' Garners $14,500, Cincinnati

Cincinnati, May 22. — "Union Pacific" did the best comparative business, bringing the RKO Palace a smash $14,500 on an eight-day run. "The Hardys Ride High" pulled a strong $15,500 at the RKO Albee.

Estimated takings for the week ending May 17-20:

**"The Hardys Ride High" (M-G-M)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $15,500. (Average, $12,000)

**"Union Pacific" (Para.)**
RKO PALACE—(2,700) (35c-42c) 8 days. Gross: $14,500. (Average, 7 days, $10,000)

**"Calling Dr. Kildare" (M-G-M)**
RKO SHUBERT—(2,150) (35c-42c) 7 days, 2nd week. Gross: $3,300. (Average, $10,000)

**"Wuthering Heights" (U. A.)**
RKO CAPITOL (2,200) (35c-42c) 7 days, 2nd week. Gross: $4,000. (Average, $6,500)

**"Prison Without Bars" (U. A.)**
RKO LYRIC—(1,200) (35c-42c) 7 days. Gross: $3,900. (Average, $6,000)

**"Dark Victory" (W. B.)**
RKO GRAND—(1,200) (25c-40c) 7 days, 3rd week. Gross: $2,000. (Average, $2,700)

**"Mr. Moto On Danger Island" (20th-Fox)**
**"Adventures of Jane Arden" (W. B.)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,100. (Average, $1,000)

**"Sudden Money" (Para.)**
**"Sunset Trail" (Para.)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $900. (Average, $900)

**"San Francisco" (M-G-M)**
KEITH'S—(1,500 (30c-40c) 5 days. Gross: $2,200. (Average, 7 days, $6,000)

## Million Dollar Prod. Sets Deal with Sack

Hollywood, May 22.—Harry M. Popkin, general manager of Million Dollar Productions, Inc., producing Negro features, and Alfred Sack of Sack Amusement Enterprises have closed a deal whereby Sack will distribute the Million Dollar product.

Both companies will retain their identities, and Sack will open exchanges in Los Angeles and New York. Lester J. Sack, vice-president, will be in charge in New York.

# Hollywood Previews

## "Hidden Power"

(*Columbia-Darmour*)

Hollywood, May 22.—A soundly contrived human interest story, rather than slam-bang action common in most Larry Darmour productions which star Jack Holt, is the entertainment and commercial substance of "Hidden Power." Sensibly written by Gordon Rigby, whose evident aim was to provide thrills that would influence the mind and imagination rather than physical reactions, the show, which Lewis D. Collins directed thoughtfully and with disregard for formula, gives Holt an exceptional chance to be convincing as a humanitarian who ignores the possibility of profit that mankind might benefit by his chemical discovery.

Accidentally discovering a compound that has great medical properties and which, in addition, is a powerful explosive, Holt loses his job when an assistant, experimenting against orders, blows up the plant. His refusal to take financial advantage of the explosive leads to a domestic rift. However, continuing his experiments to make his formula medically safe, after it has been believed to be the cause of one fatality, he finally perfects it. His success comes just in time to save the life of his son, Dickie Moore, who had been seriously burned in an auto accident which caused the death of his mother, Gertrude Michael.

Played seriously, the only humor being that pertaining to a good pal father and son relationship, the picture undoubtedly will be quite a surprise to Jack Holt's fans, but at the same time one that is potent and powerful enough to grip and hold the attention of audiences. While Holt dominates the picture, he is given good support by Moore, Miss Michael, William B. Davidson, Henry Kolker, Harry Hayden, Marylin Knowlden and Christian Rub.

Running time, 60 minutes. "G."* G. McC.

## "Wolf Call"

(*Monogram*)

Hollywood, May 22.—George West's screenplay brings Jack London's novel up to date with something of a bang, supplying airplanes, radio, a radium mine and other materials the late writer of redblooded fiction died too young to deal with, but the essential plot is unchanged. John Carroll plays the hero, exercising his robust baritone voice on two songs by Fleming Allen, and Movita, who shares them with him, plays the halfbreed heroine. Holmes Herbert, Peter George Lynn, Guy Usher and Polly Ann Young have principal supporting roles, while Grey Shadow and an unnamed sweetheart take care of the canine assignments adequately.

Paul Malvern is down as producer for Scott R. Dunlap and George Waggner directed. The story opens in New York with Carroll and Miss Young as reckless participants in a party treasure hunt. Next morning Carroll's father sends him to the Northwest to look after a radium mine which, unknown to him, his employes are trying to obtain for the nefarious monopolists who have been keeping the price of radium extortionately high. Here he meets the halfbreed girl he falls in love with, a fighting priest, a backwoods chemist and, of course, various villains. His dog meets and falls in love with a wolf. When Carroll has outwitted the plotters and brought the price of radium within the reach of all, he and the dog decide to stay in the Northwest with their respective loves.

Running time, 61 minutes. "G."* Roscoe Williams

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*"G" denotes general classification.*

## Handles Foreign Films

Transatlantic Films, Inc., has been organized by Eugen Scharin, formerly with 20th Century-Fox and RKO in Europe, to distribute foreign films, mostly French, in this country. The films include: "La Maison du Maltaise," "White Slave Girl," "Conflict," "Drame de Shanghai," "Girlhood," "Wedding in White" and "No More Lovers."

## Charity Premiere

Rivoli Theatre is preparing a reserved seat charity premiere of Samuel Goldwyn's "Music School," featuring Jascha Heifetz, on or about July 15.

## 'Hardys' at $8,700 Is Leader in Omaha

Omaha, May 22.—"The Hardys Ride High" and "One-third of a Nation" took a good $8,700 at the Omaha, while "Man of Conquest" and "Sorority House" drew $6,400 at the Brandeis.

Estimated takings for the week ending May 17-19:

**"Man of Conquest" (Rep.)**
**"Sorority House" (RKO)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $6,400. (Average, $4,000)

**"The Hardys Ride High" (M-G-M)**
**"One-Third of a Nation" (Para.)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $8,700. (Average, $6,000)

**"Cafe Society" (Para.)**
**"Beachcomber" (Para.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $8,400. (Average, $7,600)

## 'Nazi Spy' Is Hub Winner With $22,000

Boston, May 22.—"Confessions of a Nazi Spy" and "Torchy Runs for Mayor," dualing at the Metropolitan, took a big $22,000. "Let Freedom Ring" and "Broadway Serenade" playing at the Loew houses, Orpheum and State, took $14,500 and $12,000 in that order.

Estimated takings for the week ending May 17:

**"Call of the Wild" (Mono.) (4 days with vaude.)**
**"Lone Wolf Spy Hunt" (Col.) (4 days with vaude.)**
**"The Three Musketeers" (20th-Fox) (3 days)**
**"Inside Story" (20th-Fox) (3 days)**
RKO KEITH BOSTON—(3,200) (20c-30c-40c). Gross: $6,000. (Average, $8,500)

**"The Story of Alexander Graham Bell" (20th-Fox)**
**"Return of the Cisco Kid" (20th-Fox)**
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $13,000. (Average, $14,500)

**"Man of Conquest" (Rep.)**
**"Bulldog Drummond's Secret Police" (Para.)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,500. (Average, $8,000)

**"Man of Conquest" (Rep.)**
**"Bulldog Drummond's Secret Police" (Para.)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $5,300)

**"Confessions of a Nazi Spy" (W. B.)**
**"Torchy Runs for Mayor" (W. B.)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $22,000. (Average, $15,000)

**"Let Freedom Ring" (M-G-M)**
**"Broadway Serenade" (M-G-M)**
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $14,500. (Average, $14,500)

**"Let Freedom Ring" (M-G-M)**
**"Broadway Serenade" (M-G-M)**
LOEW'S STATE—(3,600) (25c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $10,500)

**"Dark Victory" (W. B.) (2nd run)**
**"My Wife's Relatives" (Rep.)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $8,500. (Average, $5,000)

## 'Rose' at $6,500 as Providence Slumps

Providence, May 22. — Grosses were generally off here, with "Rose of Washington Square" and "Sweepstakes Winner" doing the best comparative business with $6,000 at the Majestic.

Estimated takings for the week ending May 17-18:

**"Lucky Night" (M-G-M)**
**"Outside These Walls" (Col.)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)

**"Rose of Washington Square" (20th-Fox)**
**"Sweepstakes Winner" (W. B.)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $7,000)

**"Union Pacific" (Para.)**
STRAND—(2,100) (25c-35c-50c) 2nd week. 5 days. Gross: $4,500. (Average for seven days, $6,000)

**"They Made Her a Spy" (RKO)**
**"White Woman" (Para. Revival)**
RKO-ALBEE—(2,239) (25c-35c-50c) 5 days. Gross: $2,200. (Average, $6,000)

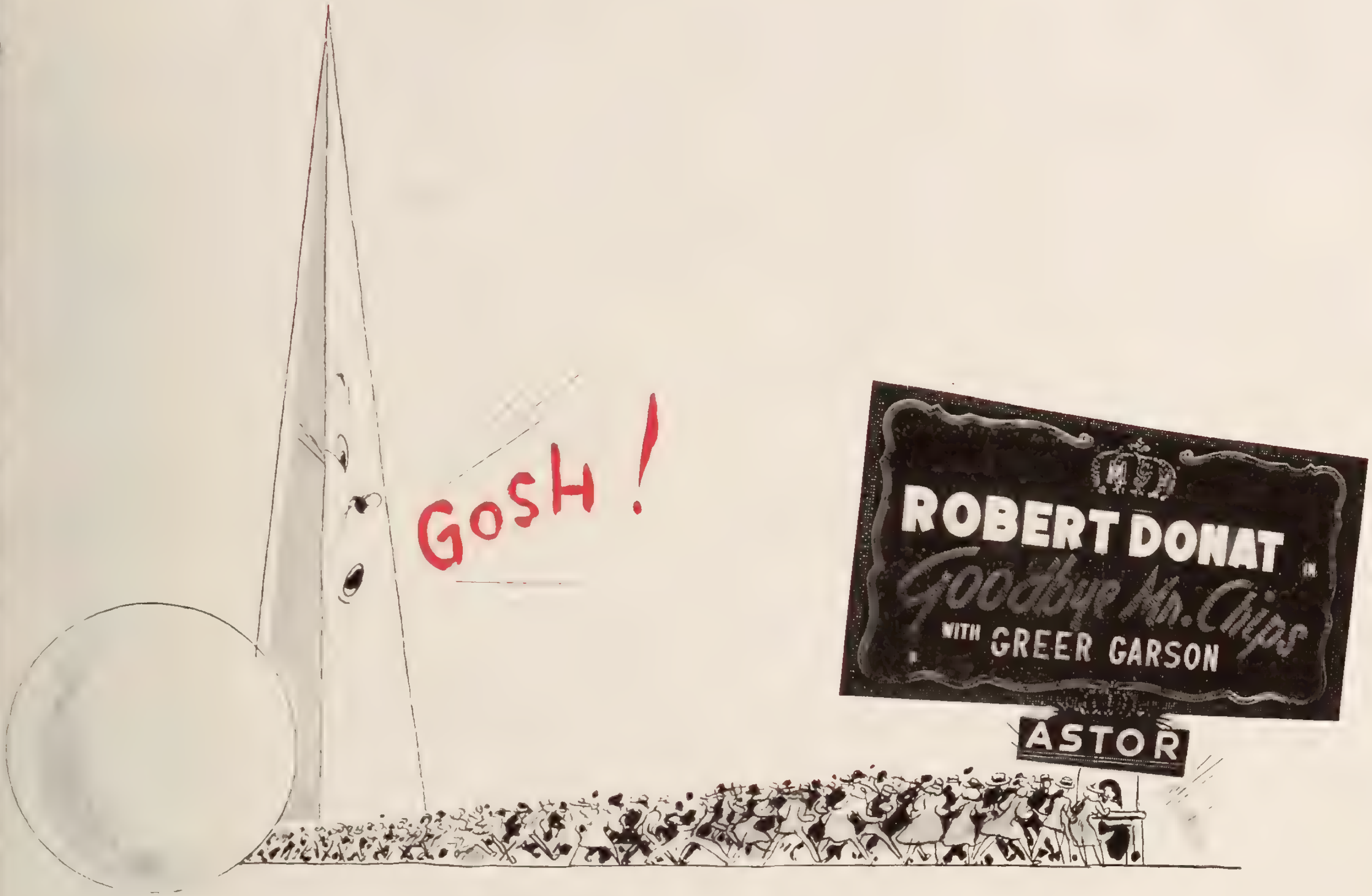
**"Big Town Czar" (Univ.)**
FAY'S—(1,800) (25c-35c-40c) Vaudeville. 7 days. Gross: $6,000. (Average, $6,500)

**"Dark Victory" (W. B.)**
**"Torchy Runs for Mayor" (W. B.)**
CARLTON—(1,526) (25c-35c-50c) 7 days. 2nd week. Gross: $3,000. (Average, $3,500)

## Two Houses Cut Prices

Mansfield, O., May 22.—Warners' Ohio has reduced the matinee price from 30 to 20 cents, and the evening rate from 42 to 35 cents. Admissions at Warners' Madison, showing duals, have been cut to 15 cents for matinee, and 25 cents evenings.

# "HELLO Allied States Exhibitors!"


GOSH!
ROBERT DONAT in
Goodbye Mr. Chips
WITH GREER GARSON
ASTOR

An absolute sensation at the Astor, N. Y. and 4-Star Theatre, L. A. Topping "Pygmalion" and now being launched in the same showmanship manner. A friendly hit from the Friendly Company.

Directed by SAM WOOD. Screen Play by R. C. Scherriff, Claudine West and Eric Maschwitz. Produced by Victor Saville. An M-G-M. Picture.

# GOODBYE MR. CHIPS"

IT ACTUALLY
HAPPENED TO
THIS EXHIBITOR!

TRUE STORIES FROM ALTEC FILES

V. U. YOUNG
*President,*
*Theatrical Managers, Inc.,*
*Gary, Indiana*

## *Inspectors Saved Important Event, House Owner Says*

GARY, INDIANA—"For nearly a year, we had been having trouble with our public address system at the Palace Theatre here," said V. U. Young, president of the Theatrical Managers, Inc. Circuit, "and we were particularly concerned about its functioning properly during a style show for which we had enlisted large community interest and support.

"Our Altec Inspector R. C. Gray, and D. A. Swanagan, from the Altec Chicago office, cheerfully put in long hours working under high tension on the problem, and never gave up until our troubles were licked. Our style show was a complete success.

"It is that kind of work by Altec field men that reminds theatre operators of the value of Altec service and forcibly reminds them of how great a protection Altec service is to owner and manager alike."

• • •

The Altec service inspector takes personal pride in belonging to an organization which renders to its exhibitor customers service that goes *beyond the required obligation.* Let the Altec man in your locality explain how Altec service can "bring out the best" in quality and performance, in the equipment now in your theatre.

**ALTEC**
SERVICE CORPORATION

250 West 57th Street, New York City

THE SERVICE ORGANIZATION
OF THE MOTION PICTURE INDUSTRY

# SDG Reelects Capra, Ratifies Producer Pact

HOLLYWOOD, May 22.—Frank Capra last night was reelected president of the Screen Directors Guild, which also ratified the producer-director basic studio agreement.

Other officers named were W. S. Van Dyke, first vice-president; John Cromwell, second vice-president; Frank Tuttle, secretary, and Phil Rosen, treasurer.

Elected to the board of directors were John Ford, William K. Howard, Gregory LaCava, Rowland V. Lee, Frank Lloyd, Rouben Mamoulian, Lewis Milestone, Leo McCarey, King Vidor, William Wellman and William Wyler.

David Friedman, recently named president of the Unit Managers Guild, Inc., addressed the directors, informing them that his Guild had ratified an agreement with producers for their craft.

## *Extras Want to Stay In SAG, Poll Shows*

HOLLYWOOD, Mav 22.—Extra players, voting in a poll conducted by the Screen Actors Guild, voted 3,962 for and 65 against remaining in the Guild, results of the new election, made public today, disclosed.

Fourteen members of the Class B Council, governing body for atmosphere players in the Guild, were reelected in balloting which replaced the recent illegal vote.

## *Union Benefit June 2*

CLEVELAND, May 22.—Film Exchange Employes, Local B-5, will hold its annual benefit dance June 2 at Moose Hall. Charles Rice, 20th-Fox shipper, is chairman of the entertainment committee. Pearl Geib of Warners has been named the local's representative to the I. A. T. S. E. district convention to be held at the Mayflower Hotel, Akron, June 4-5-6.

## *Showmen Fight Ban Upon Free Pictures*

**Lincoln, May 22.—Attempt to ban free film shows in opposition to theatres was killed when an amendment to the state fair trade act failed in the legislature.**

**The amendment would declare it an unfair practice for merchants to use free shows as a business bait within 25 miles of a theatre. Leading the fight against the amendment were Senator Bill Diers, Gresham exhibitor, and Senator Mekota of Crete, which has 3,500 population and three competing theatres.**

## Empire-Universal To Meet Thursday

TORONTO, May 22.—Eastern regional convention of Empire-Universal Films, Ltd., opens at the Royal York Hotel here Thursday for a three-day program with company officials present from the Toronto, St. John and Montreal branches. Three executive officers of Universal, with attend from New York. Announcements will be made of next season's product and policy.

Toronto arrangements are in the hands of Paul Nathanson, vice-president of the Canadian company, and Alfred Perry, general manager. Other officials will include Harry Paynter of Montreal; Jerry Hoyt, St. John, and Archie Laurie and Frank Fisher of Toronto. President Nate Blumberg, Frank J. McCarthy, eastern sales head, and William A. Scully, general sales manager, will come from New York.

## *William Witz Dies*

CINCINNATI, May 22.—William Witz, 74, pioneer exhibitor, who originally operated the old Bijou, one of the first picture houses in the downtown sector, died at General Hospital. His widow and a daughter survive.

## *Out Hollywood Way*

HOLLYWOOD, May 22.—"Frontier Marshal," 20th Century-Fox, starring BINNIE BARNES and RANDOLPH SCOTT, goes into production June 5. ALLAN DWAN will direct SAM HELLMAN'S original screenplay. . . . JACKIE COOPER and FREDDIE BARTHOLOMEW share the lead in Universal's "Bright Victory," which JOSEPH SANTLEY will direct; BERT KELLY, producer. . . . HAROLD YOUNG will direct "Dames" for Universal. SIGRID GURIE and DONALD BRIGGS are starred.

+

Rehearsals for "On Your Toes" have started on the Warner lot. ROBERT HAAS has been named art director for the musical, in which ZORINA is slated for an important role. . . . Warners have signed RONALD REAGAN to a new contract. . . . "Are Husbands Necessary" will be ALLAN JONES' first vehicle for Paramount. . . . LUCIEN MORAWECK signed by EDWARD SMALL to do musical score of "The Man in the Iron Mask."

+

*Casting*—FRANK COUGHLAN, BOB PARRY and CLAUDE WISBERG to "Dust Be My Destiny," Warners. . . . WILLIAM FRAWLEY to "Night Work," Paramount. . . . LELAND HODGSON and MILTON OWEN to "Elizabeth and Essex," Warners. . . . ROBERT PAIGE to "Every Day Is Sunday," Paramount. . . . CREIGHTON HALE and FRANK MAYO to "The Return of Dr. X," Warners. . . . CHIEF THUNDER CLOUD to "Cat and the Canary," Paramount.

+

TIM HOLT, son of JACK HOLT, gets a leading role in "My Fifth Avenue Girl," RKO, cast of which includes WALTER CONNOLLY, VERREE TEASDALE and FRANKLIN PANGBORN. . . . ALFRED NEWMAN, SAMUEL GOLDWYN'S musical director, will appear as a musical director in "Music School," starring JASCHA HEIFETZ.

*Best Wishes*
*to*
**Allied**
**Theatre Owners**
**of New York**
●
**Benjamin Sherman**

**ALLIED SEATING CO., Inc.**
36-38 West 13th St., New York City
*For Your Theatre Chairs*
*Visit Us*
*While You Are in New York*

*Best Wishes to*
*Allied Theatre Owners*
*of New York*
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Lobby Display Frame Corp.
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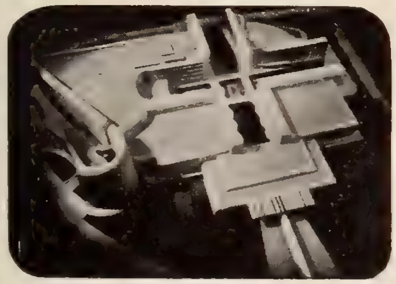
Columbus 5-6889
EDWARD SIDE, President

GOOD LUCK
ALLIED THEATRE OWNERS
of New York
NOW READY
"HEROES OF THE MARNE"
(English titles)
Superb acting . . . reaches a height of beauty and art.—M. P. DAILY.
Spectrum Pictures Corp.
729 Seventh Ave. New York, N. Y.
Distributors of
MUSICAL WESTERNS
starring FRED SCOTT

# ERPI creates world's most amazing Sound System!

Amazing 20 ton sound unit engineered by ERPI—which is, in effect, 150 sound heads combined in one! It delivers 150 different talks at one time to 600 moving chairs equipped with speakers. The 150 talks are so perfectly synchronized that spectators hear described the exact scene they are viewing in the "Highways and Horizons" panorama. The original sound film will tell General Motors' story 5 million times!

Below: model of General Motors Building at the New York World's Fair, designed by Norman Bel Geddes.



## Giant machine delivers 150 talks at the same time

Nothing like this multi-voiced marvel—now installed in General Motors' exhibit at the New York World's Fair—had ever been attempted before.

In working out the many unique technical problems involved, ERPI once more showed how it is constantly finding new uses for ideas developed by Bell Telephone Laboratories.

For this giant machine is based on the familiar "sound on film" principle—originally developed for use in motion pictures.

Pioneering in new fields is an important part of ERPI's work. But the old will suffer no neglect. For—*through scientific research*—ERPI maintains its leadership in the work of improving apparatus for recording and reproducing sound in pictures.

*Electrical Research Products Inc.*
A SUBSIDIARY OF
*Western Electric*

# *Honor Kent Drive Chief*

MINNEAPOLIS, May 22.—More than 100 producer representatives, exhibitors and other industry leaders tonight honored Morton A. Levy, district manager for 20th Century-Fox, at a testimonial dinner at the Nicollet Hotel. Levy recently was appointed national leader for the 1939-'40 S. R. Kent sales drive.

William Elson was toastmaster. Speakers included John Friedl and Theodore Hays, Minnesota Amusement Co.; Clyde Eckhart, 20th Century-Fox Chicago manager; Ralph Branton, general manager of the Tri-State Circuit, Des Moines; Roger Ferri, editor of *Dynamo*, 20th Century-Fox house organ; Joseph Podoloff, assistant to Levy.

Guests included: Jack Lorsen, district manager in Milwaukee for 20th Century-Fox; Joe Scott, Omaha district manager; Stanley J. Mayer, Des Moines district manager; Joseph Deitch, booker for Tri-States Circuit, Chicago; Don West, booker for Central States Circuit, Chicago; Frank D. Rubel, general manager of Pioneer Theatres, Des Moines; Charles Brown, Ray Brown and Charles Marks, Iowa exhibitors, and Max Roth of Republic.

. . . EVER Show 3-MILE-A-MINUTE SHORTS?
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AIR EXPRESS
DIVISION RAILWAY EXPRESS AGENCY, INC.
EXPRESS

Why not? Top exhibitors do by super-swift AIR EXPRESS deliveries—2500 miles overnight! It's the film formula for box office profits. Day and night, door-to-door distribution for shorts, newsreels, features—anything—right to your door. Special, screen-wise service direct to 232 key cities in United States and Canada with top-speed air-rail connections to off-airline points. Also to Latin America, Hawaii and Far East. Try 3-mile-a-minute AIR EXPRESS today and pack 'em in by showing 'em *first*. For action phone RAILWAY EXPRESS—AIR EXPRESS Division.

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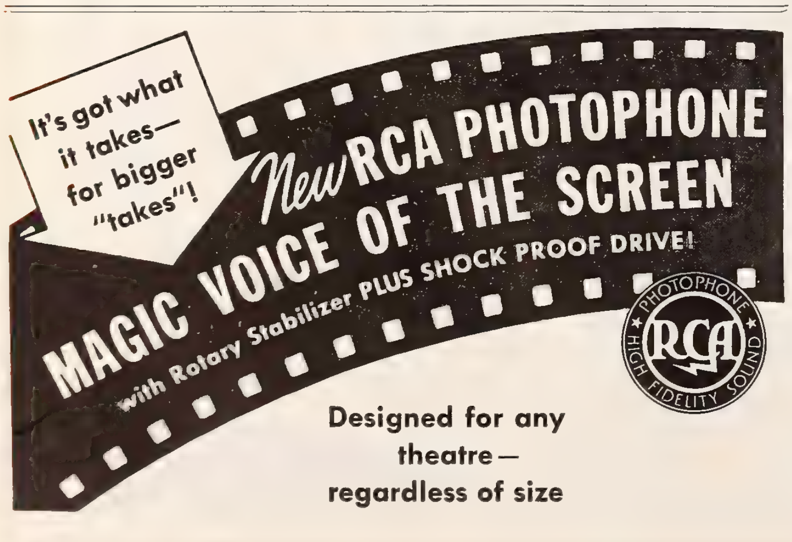
Manufacturers of Projector Arcs and Rectifiers

*Extends its best wishes to the
Allied Theatre Owners
of New York*


It's got what it takes— for bigger "takes"!
New RCA PHOTOPHONE
MAGIC VOICE OF THE SCREEN
with Rotary Stabilizer PLUS SHOCK PROOF DRIVE!
PHOTOPHONE RCA HIGH FIDELITY SOUND

Designed for any theatre— regardless of size

### *No Exceptions*

**Kansas City, May 22.—Lindburgh, operated by Abe and Rosa Baier here, is the one theatre that has remained firm against use of giveaways. But the last two Fridays the theatre has issued the following challenge:**

**"All passes, two for one, gift checks, premium cards, script books or what have you issued by any theatre in Kansas City honored here tonite!"**

## *Florida Chain Tax Bill Hits Theatres*

TALLAHASSEE, Fla., May 22.—A bill to make the state's chain store gross receipts tax applicable to theatres and other places of amusement, not covered by it at present, has been introduced in the House.

Representative Griner of Dixie, sponsor of the measure, said the revenue would go to the state public school fund.

## *George Mooser Dies*

SAN FRANCISCO, May 22.—George Mooser, during the World War in charge of American film propaganda in Russia, died here after a two-month illness. At the time of his death he was assistant to the general manager of the Golden Gate International Exposition here.

# Seek to Cut Booth Cost in Cleveland

CLEVELAND, May 22.—Cleveland Motion Picture Exhibitors' Association has named a committee to seek from the I. A. T. S. E. an arrangement permitting the use of one man instead of two in the projection booth as a means of cutting exhibitors' overhead.

If the union will not concede the full demand the committee will ask for a man in houses seating 800 or less. The move is designed to help meet the 25 to 40 per cent drop in business reported by the independents.

Col. H. A. Cole, president of National Allied, attended a meeting late last week, as did P. J. Wood, secretary of the I. T. O of Ohio, and Martin G. Smith, its president.

The Cleveland group also plans to seek whole or partial elimination of premiums and double bills, and may ask reductions in film rentals on their new contracts.

## *'Juarez' to Mexico $30,000,000 House*

MEXICO CITY, May 22.—Plans are being completed for the premiere here of Warners' "Juarez" at the $30,000,000 Palacio de Bellas Artes, following which the film will go into its regular run at the Rex. President Cardenas of Mexico saw "Jaurez" at a private showing at Juarez over the weekend.

# *Film Actions In Court*

L. J. Schlaifer, vice-president and western sales head of United Artists, was questioned yesterday by Special Assistant Attorney General Seymour Krieger in the Government's anti-trust suit on the activities of the 12 exchanges under his supervision, and of their negotiations with theatres on the sale of product. In response to the questions as to why certain theatres received first run clearance and others did not, Schlaifer said the choice is based solely on which theatre would return a better revenue.

Paul Lazarus, head of the U. A. contract department, testified that he passed on contracts betwen exhibitors and exchanges and upon approving them, forwarded the contracts to the producers for their consent.

### Reserves Decision On Sherwood Plea

N. Y. Supreme Court Justice Lloyd Church reserved decision yesterday on an application of Robert E. Sherwood and the Playwrights Producing Co., Inc., to strike out the defenses raised by 20th Century-Fox in the suit to restrain the film company from using the title, "Young Mr. Lincoln" for its film as alleged unfair competition with Sherwood's play, "Abe Lincoln in Illinois."

### Lazar Is Ordered To Testify in Suit

David Lazar, president of Lazfox, Inc., plaintiff in a $100,000 damage suit against Skouras Theatres Corp., Fox Metropolitan Playhouses, Inc., and Fox Theatres Corp., was ordered yesterday to testify in connection with the suit by N. Y. Supreme Court Justice Bernard L. Shientag. Lazfox claims breach of a contract for the candy concessions to a large number of the Fox theatres, made on Feb. 21, 1931, and assigned to Skouras.

### Order Examination In Milwaukee Case

MILWAUKEE, May 22.—Paramount, 20th Century-Fox, United Artists, Welworth Theatre of Wisconsin and Minnesota Amusement Co. have been ordered by Federal Judge Gunnar Nordby to submit to pre-trial questioning in connection with a $1,050,000 anti-trust suit brought against them by LaCrosse Theatres, Inc.

### Momand Hearing Is Delayed to May 27

OKLAHOMA CITY, May 22.—Hearing on motion to dismiss the anti-trust suit complaint of A. B. Momand against Griffith Amusement Co. and major companies has been adjourned to May 27 by Federal Judge A. P. Murrah. Objections to consideration of the motion were overruled.

### Connecticut Exhibitor Is Sued for $169,000

MIDDLETOWN, Conn., May 22.—Middlesex Theatre, Inc., owner of the Middlesex here, and Franklyn Arrigoni, stockholder, seek to collect $169,000 damages from Salvatore Adorno, owner of the Palace, and to enjoin him from building proposed new theatres in Middletown, in a writ returnable to the Superior Court, Middlesex County, June 6.

# Pool Question At Thursday's KMTA Parley

KANSAS CITY, May 22.—Pool buying of film by independents, the Neely nti-block booking and anti-blind sell- bill, the trade practice code and use of state and federal anti-trust ws to obtain relief for independents suffering from "unfair" clearances will be debated by the Kansas-Mis-ouri Theatres Association at its convention at the Hotel President here Thursday and Friday.

Speakers will include Frank Cassil, St. Joseph, Mo., president; H. M. Richey, exhibitor relations director for RKO; Ed Kuykendall, MPTOA president; George W. Weeks, general sales manager, Monogram; Maurice Hoffman, St. Joseph, prosecuting attorney, and Dr. J. G. Christy, speaker of the Missouri House.

K.M.T.A. will be host to the industry at a luncheon Thursday. It will go into an executive session at 8:30 p. m. It will entertain the industry again Friday evening at a buffet supper.

## *Set Commercial Feature*

Audio Productions has started work at the Long Island City studio on "The Middleton Family at the New York World's Fair," full length commercial feature in color for the Westinghouse Electric & Manufacturing Co. The film is intended for the use of Westinghouse dealers and 16 and 35 mm. color prints will be used.

## *Cater to Children*

**Alfred E. Grosz, owner of the Cortez, New Orleans, here visiting the World's Fair, believes Hollywood should turn out more films with particular appeal to children. Youngsters bring their parents, he thinks, "and the more we cater to the younger generation the more likely box-office receipts are to climb."**

## *Legion Approves All Of 15 New Pictures*

National Legion of Decency has approved all 15 new pictures reviewed and classified this week, eight for general patronage and seven for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Across the Plains," "Boy Friend," "Down the Wyoming Trail," "Girl from Mexico," "Goodbye, Mr. Chips," "Racketeers of the Range," "Some Like It Hot," "Wolf Call." Class A-2, Unobjectionable for Adults: "Climbing High," "Ex-Champ," "The House of Fear," "It's a Wonderful World," "Only Angels Have Wings," "Undercover Doctor," "Widow's Island."

## *Royalty to Aid Film Fund*

LONDON, May 22.—King George VI and Queen Elizabeth will attend a special performance at the State Cinema, Kilburn, in October or November for the benefit of the Cinematograph Trade Benevolent Fund.

# Production Pace Maintained With 45 Films in Work

HOLLYWOOD, May 22.—Production remained at 45 pictures before the cameras this week, as eight finished and eight started.

Started were: "Escape from Alcatraz," "Blondie Takes a Vacation," Columbia; "Are Husbands Necessary?" Paramount; "Nurse Edith Cavell," "Bad Lands," RKO; "Harmony at Home," 20th Century-Fox; "Bright Victory," Universal; "Career Man," Warners. Also shooting were: "Mr. Smith Goes to Washington," "Golden Boy," "Coast Guard," "A Woman Is the Judge," "Mounted Police No. 2," Columbia; "Music School," "The Real Glory," Goldwyn; "On Borrowed Time," "Stronger Than Desire," "Lady of the Tropics," "The Women," "Babes in Arms," M-G-M; "Memory of Love," "The Spellbinder," RKO; "Heaven on a Shoestring," "The Star Maker," "Ruler of the Seas," "Disputed Passage," "Our Leading Citizen," "Nightwork," "Doubled Dyed Deceiver," Paramount; "Mickey the Kid," "The Fighting Irish," "Wyoming Outlaws," Republic; "Gone with the Wind," Selznick International; "The Rains Came," Elsa Maxwell's Hotel for Women," "Chicken Wagon Family," 20th Century-Fox; "The Phantom Creeps," "Modern Cinderella," "The Underpup," "Dames," Universal; "Winter Carnival," Wanger; "Dust Be My Destiny," "Nancy Drew and "Hidden Staircase," "Dead or Alive," "Elizabeth and Essex," Warners.

## *Theatre Changes*

PHILADELPHIA, May 22.—William Goldman plans a 750-seat house on the outskirts of the city.

### Danz Adds Theatre

SEATTLE, May 22.—John Danz has added the Grand, neighborhood house, to his Sterling suburban circuit. Jack Kirk, former owner, continues as manager.

### Form Charlotte Firm

CHARLOTTE, N. C., May 22.—Everett Enterprises, Inc., has been organized here to operate theatres. Incorporators are H. H. Everett, F. H. Kennedy and E. J. Hanson.

### Close Brooklyn House

Riviera, St. Johns Pl., Brooklyn, has been closed. It will be reopened in the fall by Randforce Amusement Corp. (Samuel Rinzler and Louis Frisch.)

### To Reopen in Jersey

Strand in Ocean Groce, N. J., will reopen the middle of June for a summer run.

### Reopens at Newton, N. J.

J. D. Weidenhafer has opened the Court Square, new house at Newton, N. J. It seats 550.

### Manages Frisco House

SAN FRANCISCO, May 22.—Arvid Erickson has been named manager of the Warfield, succeeding the late Sam Pechner. Frank Newman has succeeded Erickson as manager of the St. Francis.

ALLIED CONVENTION VISITORS

See our displays of

Simplex
TRADE MARK REG'D.
E-7
PROJECTORS

Simplex FOUR ★★★★ STAR Sound
TRADE MARK REG'D

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HOTEL ASTOR
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NEW YORK BRANCH
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NATIONAL THEATRE SUPPLY COMPANY

JAMES FRANK, JR., Manager
CIrcle 6-5900

# Civil Liberty Group Urges Air Freedom

National Council on Freedom from Censorship, affiliate of the Civil Liberties Union, is presenting to the F. C. C. a resolution urging the adoption of rules to promote freedom on the air.

Two matters touching on freedom of the air should be left to Congress, according to the council. One is to relieve stations of liability for slander in programs concerning public issues on sustaining time, the other is the provision in the Communications Act concerning obscene, indecent and profane language, "the use of which may be the occasion for refusing the renewal of a license or for revoking it."

The council also calls attention to the policy of the networks in refusing to sell time for non-commercial programs. "This policy results in an unfair handling of public issues, for commercial sponsors have used the time they buy for the discussion of controversial issues which cannot be presented by the other side unless it too has goods or public services to sell." The problem, suggests the council, may be left to regulation by the industry.

In connection with the granting of license renewals, the council contends that radio is inevitably under an indirect form of censorship and control by the F. C. C. through its interpretation of the phrase, "public interest, convenience and necessity." The council asks that the six-month license term be extended.

## *NBC Inaugurating Speakers Division*

NBC is reentering the lecture field with the inauguration of a Speakers Division under the direction of Sam L. Ross. Ross will continue to handle NBC Artists Service local station activities in addition to his new assignment.

The new department will handle bookings for lecturers.

## *Television Meet Today*

LONDON, May 22.—Committee representing the Cinematograph Exhibitors' Association and Kinematograph Renters' Society (distributors) will meet tomorrow to draw up a memorandum for submission to the Postmaster General asking that permits be refused theatres for the showing of television broadcasts.

## *Robson on New Series*

William N. Robson, CBS producer and director, has been signed to write and direct a transcription series starring Nick Dawson. The series, "Beyond Reasonable Doubt," is to be recorded for Associated Music Publishers. Script Division of the CBS artists bureau set the deal.

## *'Angels' on Lux Hour*

A current picture, "Only Angels Have Wings" will be dramatized on the Lux "Radio Theatre" May 29, with the picture's stars, Cary Grant and Jean Arthur, reenacting their roles on the air.

# *NBC Plans to Establish Own Television Theatre*

### *Favor Belmont as Site; Officials Are Silent Upon Their Plans*

Although official verification is unobtainable at present, it appears virtually certain that NBC will be first among various television interests to operate a television theatre of its own.

NBC-RCA engineers and architects have been inspecting the premises of the Belmont Theatre, 48th st. immediately off Sixth ave., a stone's throw from Radio City, with indications that a deal to convert the Belmont into a television playhouse will be closed late this week. The Belmont is owned by the Amusement Securities Corp., of which Sam Krelberg is president.

At Radio City, NBC television officers would not discuss the matter. Krelberg showed a similar attitude, although he did admit, however, that NBC engineers have been inspecting the theatre.

NBC's plan, according to a report, is to install theatre projection television equipment in the theatre, and admit an audience in the same manner in which spectators are admitted into studios to witness a regular broadcast. It is strongly doubted that an admission price will be sought, although it is entirely possible that a moderate sum may be charged.

Meanwhile, little is known about the progress of Baird Television in that company's efforts to obtain a television theatre. Such efforts have been underway since the arrival here some weeks ago of Ian C. Javal, Baird Television production head.

## *Heads NAB District*

SAN FRANCISCO, May 22.—Howard Lane, general manager of five radio stations owned by the McClatchy newspapers, has been elected president of the fifteenth district of the National Association of Broadcasters, succeeding Ralph R. Brunton, general manager of KJBS-KQW, who held the post for four years.

## *Gruen Extends Time*

Gruen Watch Co. has extended its 13-week time signal test over WNEW to a full year through the McCann-Erickson agency. The Howard Co. has signed a year's contract to sponsor Elton Britt, six quarter-hours a week, over the same station, through the Levy agency.

## *Station Advertising On Theatre Screens*

**San Francisco, May 22.—KSAN is announcing its new affiliation with California Radio System through medium of newsreel trailers, on the screens of 14 district houses of the Golden State Circuit. Slides also are shown calling attention to outstanding new features on the station's schedule.**

## Albany NAB Unit Talks Legislation

ALBANY, May 22.—Discussion of Federal and state radio legislation highlighted the N. A. B. Second District meeting at Schenectady over the weekend.

Presiding was Col. Harry C. Wilder, head of WFBL, Syracuse; WTRY, Troy; WJTN, Jamestown, and WNBX, Springfield, Vt. Outlining bills now before Congress was Andrew Bennett, Washington counsel for the N. A. B.

Visitors toured the new WGY studios and were guests at General Electric at a television demonstration. New York City station men who were present included H. A. Woodman and H. M. Boyd of NBC, Sid Kaye and Jap Gude of CBS, William Moore of WBNX, Dick O'Dea and J. Weiner of WNEW.

## *Amateur Radio Meet*

SAN FRANCISCO, May 22.—New methods by which amateur radio operators could aid in time of emergencies were considered at a meeting of the board of directors of the American Radio Relay League. Eighteen directors from the United States and Canada, representing 20,000 members. E. C. Woodruff is the president.

## *New Frisco Outlet*

SAN FRANCISCO, May 22.—KSAN, 250-watt independent station, has replaced 500-watt KYA as local outlet of California Radio System, owned and operated by McClatchy newspaper interests, with stations in Fresno, Stockton, Sacramento, Bakersfield and Reno.

## *Television Via Telephone Wires!*

**A feat long considered impossible—transmission of television pictures over ordinary telephone lines—was accomplished by NBC and the Bell Telephone Laboratories Saturday with a telecast of the six-day bicycle race at Madison Square Garden. The telephone line hookup was a little over a mile long.**

**Although obviously jubilant over the successful transmission, officials of both the network and the telephone company are emphasizing that the program was strictly an experiment. They claim that its success does not warrant a prophesy of national television service.**

**Heretofore only coaxial cable has been used in the transmission of television images. The drawback to coaxial cable has been its terrific cost. Last year Bell Laboratories installed a coaxial cable line between New York and Philadelphia, at a cost estimated to have been $500,000.**

# Stricter Rules On Broadcast Of Royal Visit

WASHINGTON, May 22.—If offici
restrictions on radio descriptions
the visit of the King and Queen
Washington get much tighter, the ne
works may relinquish the plan o[illegible]
ing the world a step-by-step ve[illegible]
of the arrival of their Majesties i
the Capitol.

This became known today as Gov
ernment officials stated there shall b
no broadcasting of the parade dow
Pennsylvania Ave. from cars in th
line of march. It was originally pro
posed that network staffs would be
come a part of the Army parade.

In order not to jar military a
rangements, the radio and newsre
men were to be permitted in the parad
in two scout cars, wearing Army un
forms. Official word now is that th
plan is out, and that no descriptio
of the progress of the procession an
no pictures en route will be per
mitted.

The White House reception wi
be even more difficult for radio an
newsreel men. A space in the sout
yard of the grounds has been reserve
for them, but it is quite far remove
from the main scene. Newsreel me
are planning to present their case t
Sir Ronald Lindsay, British Ambas
sador, in the hope that he will adju
the matter.

## *WINS Discontinues Coughlin Speeche*

WINS, Hearst radio station i
New York, has abrogated its contra
to carry the Sunday radio addresses
Father Charles E. Coughlin, Detro
"radio priest," after only two broad
casts. WINS became Father Cough
lin's New York City outlet two week
ago. The station declined to mak
any official comment on its action.

## *Open CBR Thursday*

TORONTO, May 22. — Canadia
Broadcasting Corp. will hold the for
mal opening of the building housin
the Vancouver unit of the nationa
network, CBR, on Thursday. Th
Vancouver studio is the third larges
production unit of the CBC chai
originating approximately 50 program
weekly.

## *KSFO Production Head*

SAN FRANCISCO, May 22.—Arthu
W. Stowe, former producer of Horac
Heidt's Alemite program and Genera
Mills shows in Chicago, has bee
named CBS production manager a
KSFO here. Stowe recently produce
"Hollywood in Person" at KNX, fo
CBS coast stations.

## *Radio Personals*

CHARLES SIMON, Paris cor
respondent of Transradio News
arrives today on the *Champlain*
. . . William A. Schudt, Jr., genera
manager of WKRC, Cincinnati, her
to see his mother, who is ill. . .
Lou Allen Weiss, head of the Do
Lee network, returned to Californi
after spending a week in the east.

DO NOT REMOVE

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First in
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Brief,
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L. 45. NO. 100 — NEW YORK, WEDNESDAY, MAY 24, 1939 — TEN CENTS

# Biggest RKO Roster Boasts 60 New Films

## Big Budget Pictures For New Season

**By SHERWIN A. KANE**

RKO will have a maximum of 60 tures for new season release, the gest schedule to be announced by company since its organization.

The studio's own producing roster ll contribute a total of 46, of which minimum of 20 are scheduled to be gh budget productions. This is six re than were carded earlier, which, th 14 features from outside produc-, boosts the total from 54 to 60. erbert Wilcox productions are inded in the 46 from RKO's studio.

Outside productions include four m Gene Towne and Graham Bak- two from Harry Goetz and Max rdon, three from Stephens-Lang, e from Harold Lloyd, three starring hard Dix and one from Boris Mor-.

The company's national sales contion will be held at the Westches- Country Club, June 19-22.

## Coast Flashes

Hollywood, May 23.—Nicky Arnin today filed a $400,000 suit against h Century-Fox, alleging libel and asion of his rights to privacy in the n, "Rose of Washington Square."

•

Hollywood, May 23.—U. S. Attor- General Frank Murphy and J. gar Hoover, F.B.I. chief, are excted tomorrow afternoon by plane m El Paso. Reports that Murphy's it here in connection with filing fedl suit against film companies lacked cial confirmation today.

•

Max Gordon arrived today to comte preparations for the filming of be Lincoln in Illinois," current oadway hit, which RKO expects to rt June 15.

## . P. Loach Named To Monogram Board

T. P. Loach, treasurer of Pathe m, has been elected to Monogram's ard of directors, W. Ray Johnston, esident, disclosed yesterday. Harry Iverson has been named compller. Loach replaces William Rhineder Stewart and Iverson replaces n Agren.

## Exhibitors Form Group at Chicago

**Chicago, May 23.—At a closed meeting today 22 downstate exhibitors formed an organization to handle legislative matters. Eddie Zorn, Pontiac exhibitor, was chairman.**

**Ed Kuykendall, M.P.T.O.A. president; Jules J. Rubens of Great States Theatres; Morris Leonard of Balaban and Katz were principal speakers. E. E. Alger, George Kerosotes and A. D. McCullom were circuit leaders in attendance.**

## Broadway Films Get Good Grosses

Broadway first run grosses showed an upswing in the past week.

"Goodbye, Mr. Chips" grossed an estimated $16,500 in its first week at the Astor where it is set for an indefinite run. Second week of "Union Pacific" drew an estimated $35,000 at the Paramount and will continue for a third.

"Juarez" will go into the Strand June 2, after a five-weeks' run at the Hollywood. The film grossed an estimated $14,000 in its fourth week and enters its final week today.

Pictures for the holiday will be "The Gorilla," at the Roxy; "Captain Fury," Music Hall; "Bridal Suite," Capitol; "Union Pacific," Paramount; "The Kid from Kokomo, Strand; "Wuthering Heights," Rivoli; "Goodbye, Mr. Chips," Astor; "Juarez," Hollywood; "Climbing High," Globe; "Some Like It Hot," Criterion.

# IATSE TRIAL TESTS RULE OVER LOCALS

## Disclosures of Alliance's Workings Made at Coast Hearing

Los Angeles, May 23.—Disclosures of the inner workings and executive politics of the I.A.T.S.E. were made here today at the start of trial of the suit by deposed officers of Studio Technicians Local 37 against the I.A.T.S.E. and its officers for control of the local. Trial is in Superior Court.

The action is regarded as an unprecedented test of the I.A.T.S.E.'s control over local affiliated unions. The I.A.T.S.E. has a counter-suit pending. Local 37 was dissolved yesterday by order of the parent union and five new locals organized to replace it.

### Cite 'Handpicked' Delegates

Evidence purporting to show the tenure of President George Browne was extended by a convention composed of many "handpicked" delegates on 1936 was introduced.

Stephen Newman, former International aide of Browne and in charge of four Hollywood locals from 1935 to 1936, when first suspension of autonomy was ordered, declared he personally selected conclave delegates from units here after conferring with Browne.

### Officers' Terms Extended

Motion to extend terms of elected officers from two to four years was passed by margin of eight votes, Newman declared. At time of convention, Newman added, about five other locals had autonomy suspended and delegates presumably were not chosen by members.

Newman also declared that Harland Holmden, International vice-president, and William Bioff, aide to Browne at that time, were in Hollywood for several months prior to calling of a state of emergency by Browne and the resultant suspension of autonomy which was restored last year.

### Charges Treachery

A. Brigham Rose, attorney for Joseph W. Carpenter and other local officers ousted by International Representatives John Gatelee and Frank Stickling on March 13, declared in his opening statement that he intended to show International officers and Browne want to maintain continual state of emergency among Hollywood locals, and "engage in conspiracy of treachery against rank and file of the mem-

(Continued on page 5)

## N.Y. Allied Hears Cohen Tell Aims; Cole Talks Today

New York Allied, in the first year of its existence, has played an important part in protecting the interests of independent exhibitors in the state, declared Max A. Cohen, president, at the opening session yesterday of the organization's convention at the Hotel Astor. The convention runs through Thursday.

The first day's session was taken up largely by preliminaries. Allied's national policies and industry problems will be discussed this afternoon by Col. H. A. Cole, Allied States president. The meeting will be climaxed tomorrow afternoon by an open forum at which distribution heads are scheduled to speak.

Arthur Pelterson of the Mitchell May insurance office at today's general session will outline a plan for savings in group buying of liability insurance Theatre liability rates in New York City on June 1 will be increased 40 per cent. The upstate New York rate has also been increased.

"We are laying down policies that will build a strong organization," said Cohen. "We are fighting for the small exhibitor in legislative and industry matters, for our economic security and true independence. We believe in the motto of 'clean hands'."

Following Cohen's opening address,

(Continued on page 5)

# *Theatre Building in April Surpasses 1938 Figures*

April was the first month of 1939 to show a gain over the corresponding month last year in the valuation of theatre building contracts, amounting to $2,172,000, according to Dodge Reports, daily news division of the F. W. Dodge Corp. The survey includes the 37 states east of the Rocky Mountains.

A total of 72 building and alteration projects were recorded in April of this year, involving an aggregate of 229,000 square feet of floor space. In April, 1938, 82 projects were completed, but due to the larger percentage of alterations last year, the valuation was only $2,071,000.

Through the first four months of this year there have been a total of 228 theatres projects in the area, involving 693,000 square feet, with a valuation of $5,950,000. The same period of 1938 showed a total of 267 projects, with 992,000 square feet, valued at $7,691,000.

During the four months of 1939, the number of projects were: January, 47; February, 49; March, 60; April, 72. The corresponding four months in last year showed totals of 43, 67, 75 and 82.

# Metro Holds Last Booker Parley Today

Final regional conference of the M-G-M bookers, office managers and checking supervisors will be held at the Astor here today and tomorrow.

Delegates will be present from Albany, Boston, Buffalo, Cleveland, New Haven and New York. Alan F. Cummings, in charge of exchange operations, will preside.

From the home office will be: William F. Rodgers, general sales manager; T. J. Connors, eastern division manager; Ted O'Shea, district manager; Charles K. Stern, assistant treasurer of Loew's.

Others from the home office are: Charles F. Deesen, Isidor Hirsch, M. L. Simons, Parke D. Agnew, William Brenner, Irving Helfont, Charles E. Quick, Arthur Lacks, Ira S. Martin, Rose Klein and Banks Hudson, Jr.

Exchange delegates follow: Albany—William Williams, William Gaddoni, Edward Urschel; Boston—Henry Wolper, Joseph M. Cummings, Charles Repec, Henry Myerson, Harry Golden; Buffalo—Mary Ryan, Velmar Klaiber, Gage Havens; Cleveland—John P. Harrington, Dorsey Brown, C. Robert Long; New Haven—Frank Mullen, Charles Lazarus, George E. Weber; New York—Harold Goldgraben, Charles Wittner, Robert Ellsworth, Joseph Rahm, David Klein.

## Photophone in Deal With Brenkert Light

RCA Photophone and the Brenkert Light Projection Co. have completed an arrangement for cooperation in the sale of complete theatre booth equipment. Independent supply dealers selling Brenkert products and the RCA Photophone sales representatives will sell equipment of either of the companies.

Homer B. Snook, reproducer sales manager of Photophone, and Wayne D. Brenkert, sales manager, prepared the details of the arrangement, which will not affect the personnel of either company.

3 Flights Daily
NEW YORK
TO
LOS ANGELES

THE PLAINSMAN
Lv. 7:10 A. M. Ar. 12:29 A. M.
THE MERCURY
Lv. 5:10 P. M. Ar. 7:43 A. M.
THE SOUTHERNER
Lv. 10:10 P. M. Ar. 1:55 P. M.

Ask your travel agent or phone VAnderbilt 3-2580. Ticket offices: 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES *Inc.*

# Purely Personal

**J. J. O'CONNOR, HARRY BUXBAUM, BILL SUSSMAN, JOE MOSKOWITZ, JIM BRENNAN, FRED MEYERS, JOE LEE** at **BOB GOLDSTEIN'S** Tavern yesterday for lunch. Also **ARTHUR GOTTLIEB, JACK GOETZ, JOE PINCUS, ARTHUR LEE** and **J. J. MILSTEIN.**

•

**SOL KRAVITZ** has been appointed office manager of Monogram's New York exchange, succeeding **SID HEYMAN. HEYMAN** has been shifted to the home office.

•

**ARCHIE MAYO,** director, has left the coast on a slow trip to New York for a vacation after completing **SAMUEL GOLDWYN'S** "Music School."

•

**JAMES CLARK,** ad sales manager of RKO, has joined the hole-in-one immortals, the miracle scored at the Bayside links in Queens.

•

**EDWARD FIELDING** will fly to the coast Saturday to appear in **DAVID O. SELZNICK'S** "Intermezzo," his first screen role.

•

**ARTHUR HORNBLOW, JR.,** producer, arrives by plane today from Coast. He will see plavs for possible films.

•

**HARRY DECKER,** New York and Brooklyn branch manager for Warners, is vacationing in Atlantic City.

•

**JOE LINETT,** head cashier at Monogram's New York exchange, has a new assistant, **DORIS MUSICA.**

•

**CHARLES L. O'REILLY** was in Chicago this week.

**BARNEY BALABAN, ADOLPH ZUKOR, HERMAN WOBBER, LARRY HART** and **CHARLES MCCARTHY** among those at Sardi's during lunch hour yesterday.

•

**BEN KALMENSON,** southern and western sales manager for Warners, has "adopted" a five-year-old Spanish boy, **ZASARIAS A. ALONSO,** through the Foster Parents' Plan for Spanish Children.

•

**LAURENCE OLIVIER,** appearing in "Wuthering Heights," will be host at a cocktail party at the Rivoli tomorrow afternoon, celebrating the seventh week of the film at the house.

•

**HENRI BERNSTEIN,** French author and dramatist, will attend the inauguration of the French Pavilion at the World's Fair today.

•

**MAX GLASS,** French producer, arrived yesterday on the *Champlain* to spend three or four weeks in New York.

•

**HAL WALLIS,** accompanied by his wife, **LOUISE FAZENDA,** and their two sons, sailed Tuesday on the *Nieuw Amsterdam.*

•

**KEN MAYNARD, E. K. O'SHEA, TOM CONNORS,** lunching at Nick's Hunting Room in the Astor yesterday.

•

**EDWARD RAQUELLO,** featured player, has arrived from Hollywood and will vacation here fc– three weeks.

•

**J. DON ALEXANDER** is in town from Colorado Springs.

## Ben Goetz to Coast; Delays London Trip

Ben Goetz, head of M-G-M's British production activities, returned to the coast by plane last night, postponing his departure for London by at least a week. He had planned to sail today on the *Queen Mary.*

It is understood Goetz will resume discussions of arrangements for new London production activities at the studio and may be back in New York in time to sail on the *Normandie,* May 31.

## Para. Board to Meet

Monthly meeting of Paramount board of directors will be held at the home office tomorrow. Only routine business is scheduled.

## Name Brecheen RKO Manager in Atlanta

Joe Brecheen, former RKO manager in Charlotte, has been promoted to manager in Atlanta by Jules Levy, general sales manager. Brecheen succeeds Guy Brown, resigned, and is replaced in Charlotte by N. J. Colquhoun, former Memphis salesman.

Other changes include: Lou Padolf, rejoining the company, and assigned to Detroit as salesman; Grover Wray, assigned to the Memphis staff; Scott Chesnutt, added to the Oklahoma City staff; Harry Levinson, former Chicago booker, named office manager in Detroit; Lou Fink, Robert Renz and Joseph P. Smith, assigned as student salesmen in Los Angeles, Buffalo and Boston, respectively.

# The Newsreel Parade

*King George and Queen Elizabeth in Canada receive major attention in all the new issues, contents of which follow:*

MOVIETONE NEWS, No. 73—King and Queen in Canada. Chamberlain speaks in London. Polish army parade. Preparedness parade in Rumania. Victor Emanuel reviews Italian army. Test new stratoliner. French plane lands in Long Island. Yankee Clipper takes off. Lew Lehr. English polo team practices. Prince Olav in boat race. Accommodation train in Connecticut.

NEWS OF THE DAY, No. 271—Hail King and Queen. Trans-Atlantic clipper leaves. Spanish Government feeds babies. Mussolini in Turin. Folding boats. French daredevil thrills spectators.

PARAMOUNT NEWS, No. 84—Clipper starts trans-Atlantic air service. Feed babies in Spain. British polo team in training, American team prepares for match. New Yorkers try fold boating. Highlights of royal visit in Canada. Princess Elizabeth and Princess Margaret inspect zoo in England.

RKO PATHE NEWS, No. 88—Acclaim Britain's Monarchs in Canada. Germany and Italy sign war pact. Launch trans-Atlantic air service. Norwegian Prince loses boat race. Cuba celebrates anniversary of independence. Crew race.

UNIVERSAL NEWSREEL, No. 773.—Maytime festival. Mayday in Cuba. Germany and Italy in war pact. New English ship ready for service. Clipper starts air mail service. New stratoliner tested. King and Queen in Canada.

# Joseph Feted 25 Yr. Record With Universal

NEW HAVEN, May 23.—More tha 100 friends gathered at the Universa exchange here today to honor Morri Joseph, branch manager, on his silve anniversary with the company.

Joseph started with Univers 1914, successively in New Springfield, New Haven, Clevelan and Kansas City. In 1925 he becam exchange manager here, where he ha been since.

Home office executives attending today included William A. Scully, general sales manager; F. J. A. McCarthy, eastern sales manager, and A. J Herman, district manager.

Exhibitor guests included:

From New Haven: H. Lavietes, J. Cannon, J. DeLucia, J. Hurwitz, A. Johnsor M. Bailey, M. Tomasino, Fishman brothers representing their circuit of seven theatre in Fairfield and New Haven.

From Bridgeport: M. Jacobson, M. Levine, M. Kaufman, Al Schuman, S. Hadelman, Harold Tabackman, Joe Corwek Phil Schwartz, A. Prakas, Louis Anger.

From Hartford: George Landers, manager of E. M. Loew Theatres; Mike Daly Charles Repass, Martin Keleher, M. Lieberman, M. Shulman, Theodore Harris.

From Waterbury: C. Mascoli, J. Mascol N. Mascoli, E. Van Doren, William Sirica F. Quatrano, M. Sirica.

Also, M. Cascioli, D. Blaine, J. Beren Ted Jacocks, James Casey, A. Boscardin J. Faith, N. Lambert, S. Lambert, J. Markoff, James Mahoney of the Interstat Theatres Corp.; William Pine and Johnn Evers, Joe DiFrancesco, William Hoyt an A. Jacocks, J. Dombe, Jr., Leo Schapiro.

Also, S. Rosen, A. Lockwood, Leo Bonofi A. L. Ricci, M. Pouzzner, E. Doran, Mrs L. Flack, Mr. and Mrs. Hess, J. Findlay Ralph Pasho, P. Perokas, J. D. Sirica, Ma Tabackman, George Lewitt, J. Kata, Irwi Wheeler, Charles Morse, A. J. Smith, E Fontaine, M. Hadelman, J. Walsh and Be Leo.

Also, J. Panoras, Al Pickus, Rober Schwartz, George Wilkinson, Joe Reed Nick Del Rosso, George Comden and A. F Smith.

From the Warner Theatre Departmen were present: I. J. Hoffman, Max Hoffmar Dan Finn, Guy Barrett, B. E. Hoffman an Larry Germaine.

Harry Shaw, Poli, New England Divisio manager; Matt Saunders, manager of th Poli, Bridgeport, and M. Rosenthal, manager of the Majestic in Bridgeport als attended.

## Paradise Alterations

Paradise in Brooklyn will close fo alterations the latter part of nex week.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief an Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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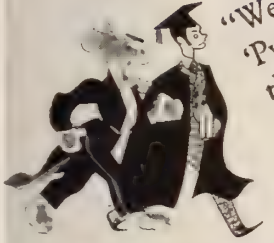
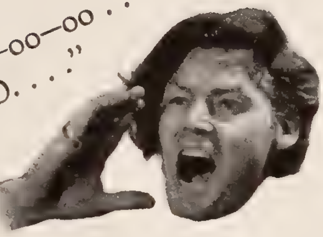
# BLUE CHIPS FROM M-G-M!



"We're topping 'Pygmalion' at the Astor, N. Y., and 4-Star, Los Angeles."



"Ee—yi—oo—oo . . . S.R.O. . . ."

## "GOODBYE MR. CHIPS"

Not only launching a great current attraction, but solidifying the box-office stature of Robert Donat and introducing the screen's sensational new star Greer Garson.

## "TARZAN Finds A Son!"

The first Tarzan film in 3 years, with *all new* and *all different* thrills to pack in the devoted fans. With Johnny Weissmuller, Maureen O'Sullivan and a Tarzan, Jr. child wonder!

## "MAISIE" The Explosive Blonde

Watch for M-G-M's trade announcement "How To Exploit 'Maisie'." This surprise picture is a showman's opportunity. Ann Sothern, Robert Young in a sock entertainment!

THE PLAYBILL
ON BORROWED TIME

## "On BORROWED TIME"

Broadway's beloved stage hit comes to the screen with power, thrill and human appeal. The top role in Lionel Barrymore's career! And a new juvenile star is born, Bobs Watson!

## "Andy HARDY Gets Spring Fever"

Completed and ready for preview and already the studio is humming with advance raves. Lewis Stone, Mickey Rooney and all the folks in a Hardy picture sensationally different from any one thus far!

## TAYLOR-LAMARR

The most eagerly awaited picture of years is "LADY OF THE TROPICS" and those who have seen it thus far are predicting the biggest box-office property of the heat waves! Tell your folks "Hedy was worth waiting for!"

**Now — and in the months to come — and in glorious 1930-40!**

# THE FRIENDLY COMPANY

# Foreign Film Imports Show Ontario Gain

TORONTO, May 23.—Treasury Department of the Ontario Government has reported a substantial increase in the number of films imported from foreign countries during the past fiscal year, apart from those originating in the United States and Great Britain. The total for the 12 months ending March 31 was 102, as compared with 39 foreign films for the previous corresponding period.

It is reported that a few of these pictures were obviously propaganda and 16 of the subjects were revised before approval, with one feature, from Russia, condemned in its entirety. Of the foreign films under review during the 1938-'39 year, 77 were of standard width while 25 were 16 mm.

Motion picture advertising accessories totaling 29,383 were inspected during the past year; 156 were condemned and 118 were ordered changed to meet the regulations restricting nudity, gun play and scenes of extreme violence. During the previous year, 152 displays were turned down out of a total of 30,289 and 68 were revised.

## *Para. Negotiating Two Theatre Deals*

Negotiations have been opened by Paramount with George Trendle of Detroit and Lucas & Jenkins, Atlanta, for extension of their operating contracts, which expire next month. Trendle's operations cover the 17 houses in the United Detroit Theatres Corp. Those of Lucas & Jenkins cover 37 houses in Georgia.

Negotiations also are in progress between Paramount and Joe Cooper whereby the former would acquire a larger interest in the Cooper operations in Colorado and Nebraska.

## *RKO's Talent Quest Voting Here Today*

Regional selections here in the RKO Gateway to Hollywood talent quest will meet today at the Hotel Warwick. Auditions are being held simultaneously in the Chicago and San Francisco districts, concluding the series of 21 regional meetings in the second Jesse Lasky quest.

At today's luncheon here will be Mrs. Lela Rogers, mother of Ginger Rogers; Frances Duff-Robinson, dramatic coach; Nancy Carroll, Raymond Massey and Ethyl Haworth. Lasky will be represented by Herbert Rawlinson.

## *10 RKO Closings Set for Summer*

RKO will close 10 houses this summer beginning with the Strand, Syracuse, on Friday. Others will be Trent, Trenton, May 28; Albee, Providence, and Majestic, Columbus, May 31; Orpheum, Kansas City, and Colonial, Dayton, June 1; Central, Yonkers, June 4; Orpheum, Champaign, June 11; Century, Rochester, June 14; and Alden, Jamaica, June 21 or 25. John J. O'Connor, vice-president and general manager of the circuit, said these were the usual summer closings.

# *Hollywood Preview*

## *"Bridal Suite"*

*(M-G-M)*

HOLLYWOOD, May 23.—Annabella, Robert Young, Walter Connolly, Billie Burke, Gene Lockhart, Reginald Owen and Arthur Treacher are the names available for marquee purposes in connection with this otherwise moderate enterprise. It is a frothy comedy of manners dependent upon acting ability of its performers, wit of its dialogue and, in a measure, on setting. It is funniest during a sequence wherein amorous Young and Annabella are marooned with apprehensive Connolly on the slippery edge of an Alp. It is promisingly amusing in its early scenes presenting Young as a bridegroom-to-be who can't quite get around to being it, routine in a formula finish.

Edgar Selwyn produced the picture, handsomely, with William Thiele directing. Samuel Hoffenstein devised the screenplay from a story by Gottfried Reinhardt and Virginia Faulkner. William Buddie and Gus Kahn supplied a song which Annabella sings to zither accompaniment.

Young plays a wealthy idler whose parents would like him to marry eligible Virginia Field. He gets drunk and misses the wedding. His mother takes him to Switzerland to see a psychiatrist who will supply him an amnesia alibi, but he meets Annabella, Swiss miss, and marries her instead. An episode in which Young lures Annabella to his bedroom by feigning illness and by some unseen action incurs her wrath in the darkness may or may not be regarded as coming under the head of good clean fun. Running time, 68 minutes. General classification.

## *Schuyler-Arden Dispute to Court*

Clearance dispute between the Schuyler and the Arden, both on Columbus Ave., Manhattan, has resulted in a suit filed in N. Y. Supreme Court yesterday.

Schuyler Theatre Corp. filed suit against Columbia Pictures for breach of a contract made last December, under which the Schuyler purchased 40 films. The contract provided, it is alleged, that the Arden was not to receive clearance over the Schuyler. The complaint charges, however, that the clearance was granted.

Schuyler will apply today to Justice Lloyd Church for a temporary injunction pending trial to prevent Columbia from granting clearance to Arden in the future.

Harry Brandt does booking for the Schuyler, which is a Kaybern house. William Kaster operates the Arden.

## *U. A. Goldwyn Suit Motion Faces Delay*

Motion by United Artists to dismiss the complaint of Samuel Goldwyn and Samuel Goldwyn, Inc., in the breach of contract suit in Wilmington may not be reached for hearing before the fall, it was learned yesterday.

Procedure in the Delaware Federal courts is to hear all motions in the order in which they are filed. The calendar is more than a month behind and unless action is speeded before the summer recess, the U.A. motion is not likely to be argued before October. No answer to the complaint will be filed until the motion is decided.

## *Sparks Adds House*

JACKSONVILLE, Fla., May 23.—E. J. Sparks will add a new theatre to his circuit operations with construction of a 450-seat house at Dania in the near future.

# *Film Actions in Court*

United Artists was examined yesterday as to its business relations with Balaban & Katz, Chicago circuit, during the examination of Jack Schlaifer, vice-president and western sales manager of U. A., by Seymour Krieger, special assistant attorney-general, in the Government's anti-trust suit against the majors.

Schlaifer said he had offered United Artists product for 1938 and 1939 to Jones, Linnick & Schaefer in Chicago but did not close the deal because he could not get sufficient compensation.

Edward C. Raftery, U. A. attorney, refused to allow further questioning on Chicago business because, he said, United Artists is fighting a conspiracy suit there.

Minneapolis, Kansas City, St. Paul, Los Angeles, Seattle, Milwaukee and Omaha were also covered by Krieger in his questions. Examination of Schlaifer was closed and the Government stated it would examine Andrew W. Smith, former U. A. sales manager, on June 4 or 5.

### Communion Broadcast Suit Won by WNYC

N. Y. Supreme Court Justice Bernard L. Shientag yesterday ruled that WNYC was acting legally in broadcasting without charge the Communion Breakfasts of the Holy Name Society, Catholic organization. Justice Shientag dismissed an injunction suit brought by Joseph Lewis as a taxpayer, in which it was claimed that the broadcasts were a violation of the State Constitution.

### RKO, Writers Sued On "Radio City Revels"

Suit to restrain the exhibition of the picture, "Radio City Revels" was filed yesterday in Federal Court against RKO and Matt Brooks, Eddie Davis, Anthony Veiller and Mortimer Offner, scenario writers, by Jesse Solomon. Plaintiff charges the defendants with plagiarizing his play, "It Goes Through Here," copyrighted in 1936, in "Radio City Revels."

# Paramount's Europe Chiefs Coming Here

Paramount foreign sales executive are en route to New York from man points for home office conferences i advance of the company's annual sale meeting in Los Angeles June which they will attend.

C. G. Dickinson, general sales manager for Great Britain, and T. C. Reddin, advertising and publicity directo there, will arrive next Tuesday o the *Aquitania*. Henri Klarsfeld, general manager in France, is schedule to arrive Monday on the *Normandie* Floyd C. Henry, manager in the Philippines, is due in New York fron the coast by train today.

Harry Hunter, managing directo for Australia and New Zealand, an A. L. Pratchett, general manager i Central America and the Caribbear arrived in New York earlier.

## *Wanger to Honor Shotwell of N. Y*

HOLLYWOOD, May 23.—Dr. James T Shotwell of Columbia University an president of the League of Nation Association will be guest of honor a a dinner to be tendered by Walte Wanger, his long-time friend, here o Friday. Dr. Shotwell has been her for ten days collaborating with Cec B. De Mille in preparing film fo showing at the New York and Sa Francisco World's Fairs.

## *Hold Reynolds Rites*

WASHINGTON, May 23.—Funera services were held here today fo Daniel R. Reynolds, 43, who died Saturday after a brief illness. He wa manager of Warners' Penn here sinc its opening in 1935. Interment was i Cedar Hill Cemetery.

# *Theatre Changes*

BRIDGEPORT, Conn., May 23.—Ros Grossman has bought the Barnur Theatre Building, under lease for th next three years to Lou Anger.

### Conn. House Option

WINDSOR, Conn., May 23.—Natha Lampert has taken an option on site for a 500-seat house here. Lampert, of the Colchester, Glastonbur and other suburban houses, already operates a smaller house outside Windsor.

### Plan Three in Madison

MADISON, May 23.—Three new theatres have been announced for th city's west side, all to be constructe on Monroe St. New houses ar planned by Nicolet Corp., Minneapolis; Fair Oaks Theatre Corp. an Ashley Theatre Co., affiliated with th Fox-Wisconsin Amusement Co.

### Opening on June 9

J. D. Weidenhafer will open th Court Square in Newton, N. J June 9.

### Gets Pawling House

New operator of the Alberma Pawling, is Pawling Theatre, Inc.

# ATSE's Trial Tests Control Over Unions

(Continued from page 1)

rship" in maintaining control of ollywood locals to "sell members wn the river to producers" and about new two per cent assess- s.

George M. Breslin, chief counsel for ternational, said International offi- rs are acting under constitution and laws in revoking autonomy of Local because of state of emergency and at assessment is not issue in the cur- nt case. He proposed to show that machinery provided by International constitutions have been followed by rowne and aides.

Much of today's session was con- rned with introduction of various exhibits consisting of communications om Browne to aides and members d copies of constitutions and pro- edings of conventions.

## 'air Brings Many Exhibitors to City

Exhibitors from various parts of the untry continue to arrive daily to sit the World's Fair. Among the ost recent visitors to register at the KO World's Fair lounge are the llowing:

E. C. Beatty, president and treas- er, Butterfield Circuit, Detroit; Mr. d Mrs. L. Tunick, Brooklyn The- re, Baltimore; John Gardner, Gard- r's Theatres, Schenectady; Charles Wilson, Bijou, Troy, N. Y.; J. nstantine, James Theatre, Syra- se; Steven Tarbell, Smalley The- res, Cooperstown, N. Y.; Ray Pash- , Lake Theatres, Interlaken, N. Y.; muel A. Feir, Hastings, Hastings- -Hudson, N. Y.; J. C. Caldwell, e, Appomattox, Va.; I. M. Rappa- rt, Hippodrome, Baltimore.

## BC Use of Shorts Reported by Carr

E. T. Carr, joint managing director r United Artists in London, who is siting in New York, reported yes- rday to the M.P.P.D.A. television mmittee on the regulations govern- g the use in television broadcasts of 'alt Disney short subjects by the e of feature productions.

Indications are that the same or nilar regulations, designed to pre- nt the use of short subjects on tele- sion programs in competition with eatres, will be adopted by other erican distributors when thev make orts available to BBC, as already cided.

## 'ewsreels Watch Fair Photo Strike

Newsreels are standing pat, await- g developments in the World's Fair ike situation created by Camera- n's Union, Local 644. The camera- n have declared that they will not ter the Fair grounds until a dispute er the hiring of camermen for pub- ity stills is settled. The newsreels affected indirectly because they are liated with the still cameramen.

# Cohen Outlines Aims to Allied Convention

*Allied of New York state officers and regional vice-presidents smile for the camera at the first session of their convention yesterday. Left to right, bottom row: Albert Francis, Max A. Cohen, president; Irving Sherman, Thomas Di Lorenzo, assistant treasurer; Joseph Rosenzweig, treasurer. Center row: Rapley P. Merriman, Louis Goidel, E. Thornton Kelly, executive secretary. Top row: Mitchell Conery, Max Cohen. (Photo by Cosmo-Sileo)*

(Continued from page 1)

Thomas Di Lorenzo of New Paltz, finance committee chairman, recommended an increase in dues to meet the unit's budget. After a debate in which Harry Brandt, president of the New York I.T.O.A. participated, Cohen named a committee to report on the matter today.

Cohen named the following to the resolutions committee, which is to report today: R. P. Merriman, Max Cohen of Brooklyn, Mitchell Conery, Albert Francis and Harry G. Kosch, counsel.

Conery, Kosch and Cohen of Brooklyn were elected delegates to the national convention in Minneapolis next month. The president will also attend.

Abram F. Myers, Allied States general counsel, will be unable to attend the convention, it was said.

### Today's Program

**Open meeting, 2 P. M.**

**Address by Col. H. A. Cole, president national Allied.**

**Report of finance committee.**

**Report of grievance committee.**

**Report of resolutions committee.**

**Discussion on "Insurance Economy."**

**7 P. M., visit to World's Fair.**

**Matinee party for ladies at "The American Way," Center Theatre.**

Tom Keene, western star, was introduced to the delegates.

One of the interesting exhibits at the Allied convention is at the M-G-M booth where free voice tests are made for all comers. The exhibit was set up by W. R. Ferguson, exploitation manager.

The voice apparatus, developed by Radio Development & Research Corp., uses steel tape instead of disc and gives an immediate playback. Milton Loewenstein, M-G-M engineer, is in charge.

Also at the exhibit is Tarzana, chimpanzee who has appeared in M-G-M's "Tarzan" films. Capt. Voleny Phifer, her trainer, puts the chimp through the paces. Two of John Powers' models are on hand.

## Attending Allied Meetings

The following registered yesterday at the opening of the New York Allied convention:

Charles H. Olive, Washington; Arthur K. Howard, Boston; Lauritz Gorman, Baltimore; R. P. Merriman, James Constantine, Syracuse; Steve Tarbell, Cooperstown; Mitchell Conery, Ravena; Charles Wilson, Troy; John W. Gardner, Schenectady; Marvin Atlas, Niagara Falls; Herbert Hoch, Mrs. Minna G. Rosen, Albert Francis, Buffalo; Alec Papayanakos, Canton; Mr. and Mrs. Louis Tunick, Baltimore; Irving Gerber, *Photoplay* magazine, New York.

Herman Lorence, Cattaraugus, N. Y.; Andrew Geitner, Silver Creek; Irving Sherman, Pearl River; Abe Levy, New York; Joseph Rosenzweig, New York; Max Cohen, Brooklyn; Adolph Haas, Ansell C. Knowles, Alexander Film Co.; Howard Carroll, Rochester.

Louis Goidel, Brooklyn; Ray Pashley, Interlaken; Charles Mazar, Manville, N. J.; Michael Baumanson, Malone, N. Y.; Abe Stone, Albany; Archer S. Tompkins, Schenectady; Irving Landau, New York; Thomas Di Lorenzo, New Paltz, N. Y.; Martin Wagner, William Morris agency; Morris Flaks, Benjamin Flaks, Baltimore; B. Bordenaro, Orlean, N. Y.

Among others attending are Harry Brandt, David Rosenzweig, John Manheimer, William Brandt, Lionel Toll, representing New York I.T.O.A.; William B. Stein, general manager, Imperial Theatres of New Jersey; Maurice Shulman, Connecticut Allied, Hartford; Irving Wernick, Ellenville.

## Schlaifer to Allied Meet

L. J. Schlaifer, vice-president and western general sales manager of United Artists, has accepted the invitation of Al Steffes, convention chairman, to attend the Allied States meeting in Minneapolis June 13-15. Schlaifer will arrive in Minneapolis June 12.

## Para. Has Coast Television Hopes

**Paramount or DuMont may establish a television transmitter on the coast at some future date but no definite plans exist at this time, an official spokesman for the two companies said yesterday.**

**DuMont, in which Paramount has a large interest, has applied for a license from the Federal Communications Commission for a transmitting station in the east but no action has been taken on the application yet. No application has been made for a West Coast transmitter license.**

# ‘Hardys’ Is Loop Leader With $17,000

CHICAGO, May 23.—“The Hardys Ride High” garnered $17,000 at the United Artists. “East Side of Heaven” took $19,600 at the Palace. Business elsewhere was off.

Estimated takings for the week ending May 17-20:

**“Society Lawyer” (M-G-M)**
APOLLO — (1,400) (35c-55c-75c) 7 days. Gross: $4,200. (Average, $6,500)
**“Union Pacific” (Para.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. 2nd week. Stage: Vaudeville Revue. Gross: $24,000. (Average, $32,000)
**“Lucky Night” (M-G-M)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,600. (Average, $6,500)
**“Zero Hour” (Rep.)**
**“Risky Business” (Univ.)**
ORIENTAL—(3,400) (25c-35c-40c), 7 days. Stage: Vaudeville & Revue. Gross: $11,000. (Average, $13,000)
**“East Side of Heaven” (Univ.)**
PALACE — (2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $19,600. (Average, $19,000)
**“Dark Victory” (W. B.)**
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. 3rd week. Gross: $8,000. (Average, $11,000)
**“Never Say Die” (Para.)**
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $11,400. (Average, $12,000)
**“The Hardys Ride High” (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $17,000. (Average, $15,000)

## *‘Glorious Years’ Is $5,500 in Montreal*

MONTREAL, May 23.—“Sixty Glorious Years” led comparatively with $5,500 at the Capitol. Preparations for the visit of the King and Queen had a disastrous effect on receipts.

Estimated takings for the week ending May 19:

**“Angels With Dirty Faces” (W. B.)**
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $5,800. (Average, $8,000)
**“Sixty Glorious Years” (RKO)**
LOEW’S—(2,800) (30c-40c-60c) 7 days. Gross: $5,500. (Average, $7,000)
**“Wuthering Heights” (U.A.)**
ORPHEUM—(919) (25c-35c-50c) 7 days. 4th week. Gross: $1,500. (Average, $5,000).
**“Dark Victory” (W. B.)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. 2nd week. Gross: $4,300. (Average, $10,000)
**“Never Say Die” (Para.)**
**“I’m From Missouri” (Para.)**
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,200. (Average, $6,500)

## *Personnel Moves*

CLEVELAND, May 23.—Lester Irwin, Paramount booker here, has been advanced to salesman in the Toledo territory, succeeding Weldon Waters, transferred to Albany. Louis Van Baalen moves up from cashier to booker and Donald Clark has been named cashier.

### U. A. Shifts Cadman

SEATTLE, May 23.—R. J. Cadman, former Salt Lake City branch manager for United Artists, has joined the local exchange. He was replaced in Salt Lake by Tony Hartford.

### Withers to Monogram

CLEVELAND, May 23.—Nate Schultz, local Monogram franchise owner, has named Jack Withers, formerly with Universal, to the sales staff succeeding Jack Finberg, resigned.

# *Hollywood Previews*

## *“The Jones Family in Hollywood”*

*(20th Century-Fox)*

HOLLYWOOD, May 23.—Here’s a treat for this series’ regular customers and a show to convince any group of customers that they are missing a lot of fun if they are not regular followers of “The Jones Family” adventures. The title tells the story. The regular members of the family troupe, Jed Prouty, Spring Byington, Ken Howell, George Ernest, June Carlson and Florence Roberts, abetted by William Tracy, June Gale, Hamilton MacFadden and Matt McHugh, working under the shrewd direction of Malcolm St. Claire, put it across in amusing style.

Delegated to the Legion convention in the film city, Prouty has difficulty trying to keep his brood out of Hollywood and, later, getting it to leave the place. While he alternately plays the tuba in parades and gets chased by fierce screen Arabs, the whole family “Goes Hollywood.” June Carlson’s crush on juvenile star, Tracy, leads that worthy to arranging a screen test for her. Ken Howell falls for the charms of screen siren, Miss Gale. Although June’s makeup transforms her from a little country girl to a gaudy butterfly, her test flops. Simultaneously Howell learns that Miss Gale was romancing with him just to get “atmosphere.” The old man, trying to straighten things out, gets himself into a scandal-threatening jam and it remains for Ernest, who beats up Tracy for double crossing his sister, to rescue the family and start it back to the old home town.

Results of the clean, wholesome, fast-breaking fun served up on the screen in “The Jones Family in Hollywood” is hearty laughter. Harold Tarshis’ story and the Joseph Hoffman-Buster Keaton screenplay are splendidly contrived for humorous effects.

Running time, 60 minutes. “G.”* G. McC.

## *“The Zero Hour”*

*(Republic)*

HOLLYWOOD, May 23.—Republic continues its stride toward greater entertainment with “The Zero Hour,” a deftly made production of innate appeal to women. Misleading though its title may be, “The Zero Hour” is the love story of an actress and an actor, the latter, after he becomes permanently crippled, making the sacrifice of his life that the woman he loves might find happiness.

Frieda Inescort has the feminine lead, ably supported by Otto Kruger, Adrienne Ames, Don Douglas, Jane Darwell, J. M. Kerrigan, Ann Todd, Leonard Carey, Sarah Padden, Ferris Taylor, Willard Parker and Landers Stevens.

Miss Inescort rises to her greatest heights in this film, her characterization of a woman sacrificing herself for an ideal not likely to be forgotten. What might have been a maudlin drama was avoided by Sidney Salkow, the director, and Garrett Fort, writer of the original screenplay. The story is not new, but the condensation of it into 65 minutes of screen unfolding, the crispness and conciseness of the direction by Salkow, and the elimination of unnecessary angles are. In its compactness, “The Zero Hour” is potentially ideal popular entertainment, despite its inborn appeal to women.

The story concerns two actors—one who rises to great heights, and the other who, confined to a wheelchair, makes the sacrifice of his life that she and her real love, together with an adopted child, might be happy.

Running time, 65 minutes. “G.”* VANCE KING

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* *“G” denotes general classification.*

## *Pass Employment Agency Bill in NY*

ALBANY, May 23.—Ostertag bill, providing for regulation of fee-charging agencies by local licensing authorities in New York State, passed by the legislature in the closing hours of the session Saturday, is awaiting action by Governor Lehman. Theatrical agencies and artists’ representatives are included.

The Stagg-Todd bill for regulation of outdoor advertising was defeated. In the Desmond-Mitchell-Moffat housing bill, which provides for an admission tax of one cent on tickets up to 50 cents with a graduated scale above, the provision for a tax on outdoor advertising was eliminated.

## *Royal Visit Hurts Toronto Theatres*

TORONTO, May 23.—The visit of the British royalty here found most of the populace spending 14 hours in the open air and giving tumultous reception to the king and queen. Theatres had little patronage until late in the evening. Attendance was far below expectations.

## *Contract to Werker*

HOLLYWOOD, May 23.—Alfred Werker has been given a 20th Century-Fox contract and his first directorial assignment will be a new Sherlock Holmes story.

# ‘Rose’ Clears Good $19,500 Frisco Gros

SAN FRANCISCO, May 23.—“Rose Washington Square” paired with “M Moto in Danger Island” to take $19 500. Also good were “Lady and th Mob” with $15,800 at the G[illegible] Gate, and “Abused Confidence” at th Clay, getting $1,050.

Estimated takings for the week en ing May 16-19:

**“Lady and the Mob” (Col.)**
GOLDEN GATE—(2,850) (35c-40c-55c) days. Stage: vaudeville. Gross: $15,800. (A erage, $15,000)
**“East Side of Heaven” (Univ.)**
**“Romance of the Redwoods” (Col.)**
ORPHEUM — (2,440) (15c-35c-40c-55c) days, 3rd week. Gross: $6,300. (Averag $8,000)
**“Man of Conquest” (Rep.)**
**“Women in the Wind” (W.B.)**
PARAMOUNT—(2,740) (15c-35c-40c-55 75c) 7 days, 2nd week. Gross: $9,200. (A erage, $11,500)
**“Lucky Night” (M-G-M)**
**“Adventures of Jane Arden” (W. B.)**
WARFIELD—(2,680) (15c-35c-40c-55c-75 7 days, 2nd week. Gross: $9,500. (Averag $12,000)
**“Rose of Washington Square” (20th-Fox)**
**“Mr. Moto in Danger Island” (20th-Fox)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 day Gross: $19,500. (Average, $16,000)
**“Union Pacific” (Para.)**
ST. FRANCIS—(1,400) (15c-35c-40c-55 75c) 7 days, 3rd week. Gross: $5,800. (A erage, $6,000)
**“Stage Coach” (U.A.)**
UNITED ARTISTS—(2,200) (15c-35c-40 55c-65c) 7 days, 2nd week. Gross: $7,00 (Average, $8,000)
**“Abused Confidence” (Col.)**
CLAY—(400) (15c-35c-40c) 7 days. Gros $1,050. (Average, $1,000)
**“The 400 Million” (Joris Ivens)**
LARKIN — (390) (15c-35c-40c) 7 day Gross: $950. (Average, $1,000)

## *‘Castles’ at $5,000 Oklahoma City Bes*

OKLAHOMA CITY, May 23.—“T Story of Vernon and Irene Castl led here, with $5,000 at the Midwes “The Story of Alexander Graha Bell” took $2,900 at the Tower.

Estimated takings for the week en ing May 18:

**“Confessions of a Nazi Spy” (W. B.)**
CRITERION—(1,500) (25c-35c-40c) 7 day Gross: $5,000. (Average, $5,500)
**“Winner Take All” (20th-Fox)**
**“You Can’t Get Away With Murde (W. B.)**
LIBERTY—(1,200) (20c-25c) 4 day Gross: $1,500. (Average, $1,800)
**“The Flying Irishman” (RKO)**
**“Inside Story” (20th-Fox)**
LIBERTY—(1,200) (20c-25c) 3 day Gross: $600. (Average, $700).
**“The Story of Vernon and Irene Castl (RKO)**
MIDWEST—(1,500) (25c-35c-40c) 7 day Gross: $5,000. (Average, $4,500)
**“Union Pacific” (Para.)**
PLAZA—(750) (25c-35c-40c) 2nd week, days. Gross: $1,870. (Average, $1,700)
**“Man of Conquest” (Rep.)**
STATE—(1,100) (20c-25c-40c) 7 days, 2 week. Gross: $2,500. (Average, $3,000)
**“The Story of Alexander Graham Bell (20th-Fox)**
TOWER—(1,000) (25c-35c-40c) 7 day Gross: $2,900. (Average, $2,500)

## *“Captain Fury” at Fair*

United Artists will hold a press pr view of “Captain Fury” this afternoo at the Australian Pavilion of the Bri ish Empire Building at the World Fair. Official hosts at the screenin and buffet to follow will be L. R. Ma Gregor, Australian High Commi sioner at the Fair, and W. G. Va Schmus, managing director of t Music Hall. The picture opens at t Music Hall tomorrow.

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# MOTION PICTURE ALMANAC

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# Decision Due In Union Fight On Television

Associated Actors and Artistes of America will meet today to decide the television jurisdictional dispute.

Actors' Equity will insist that it received the jurisdiction in 1930 and Screen Actors' Guild will present a proposal for a joint committee of Equity, S.A.G. and American Federation of Radio Artists to administer the field.

Yesterday another meeting was held on the jurisdictional fight between Equity and American Federation of Actors for control of the "Ziegfeld Follies" at the San Francisco World's Fair but decision again was postponed.

## *New FCC Ruling On World Stations*

WASHINGTON, May 23.—International stations will be permitted to accept sponsored programs under new regulations issued today by the Federal Communications Commission, effective immediately.

Advertising continuities, however, must be limited to announcement of the name of the sponsor and the name and general character of the commodity or service advertised.

Under the new rules, licensees of international stations will be required to render service "which will reflect the culture of this country and which will promote international goodwill, understanding and cooperation."

## *Air Georgetown Fete*

As part of the nationwide observance of the 150th anniversary of Georgetown University, the oldest Catholic institution of learning in the country, Mutual will present the "Story of William Gaston" over the network, May 31 from 4 to 4:30 P. M. Gaston was the first student at the university.

## *Dorothy Alt on CBC*

TORONTO, May 23.—Dorothy Alt, Canadian actress, has returned to Toronto after seven months of film and television work in England. She will appear this summer over CBC in a weekly musical program under the direction of Percy Faith. She will return to England in September.

## *Radio Brevities*

Phil Baker's option has been taken up by his sponsor, effective July 12. Beginning July 5 his "Honolulu Bound" will switch to Wednesday nights at 8 o'clock with repeat at midnight. . . . WHOM, operating on a temporary permit, yesterday became a fully licensed station.

Mutual's commentator, Raymond Gram Swing, will be on a regular evening schedule, starting June 5. Swing thereafter will be heard Mondays, Wednesdays and Fridays from 10 to 10:15 P.M. over the network.

## *Newsreels, Radio At 'Sub' Disaster*

**Newsreels and radio networks dispatched camera crews and special events men by plane yesterday to cover the rescue efforts for the crew of the U. S. Submarine *Squalis*.**

**It is expected that the story will be one of the biggest of the year for the reels. Planes will bring back negatives in time for inclusion in the regular Thursday issue.**

**Networks broadcast the first flash of the disaster almost simultaneously at approximately 2:30 P. M., and thereafter intermittent bulletins were offered. All networks also broadcast messages to officers and men of naval vessels stationed in Brooklyn Navy Yard to report back to the base immediately.**

**NBC was first on the air with a direct-from-the-scene broadcast at about 4:20 P. M., through the cooperation of WHEB, an independent station in Portsmouth. Special events men who flew to Portsmouth are Bob Trout of CBS, Arthur Feldman of NBC and Dave Driscoll of Mutual.**

# *Radio Personals*

JOAN EDWARDS will make a guest appearance on the RCA "Magic Key" Sunday. . . . Deems Taylor joins "The Circle" with Madeleine Carroll Sunday. . . . Carl Hoff celebrates his second year on the Al Pearce program next Monday.

•

Ingra Nelson, Swedish comedienne who has appeared in Fred Allen's program a number of times, has been signed as a member of the Fred Waring troupe . . . Harry Miller, Leo Russoto and Lou Martin are composers of "Come to New York to the World's Fair" which Al Roth introduced last night over NBC.

## *M'Connell in New Sales Post at NBC*

James V. McConnell, assistant to Roy Witmer, NBC vice-president in charge of sales, has been appointed to the new post of national spot and local sales manager. McConnell will head all sales activities of NBC owned, operated and programmed stations.

McConnell has been with NBC since 1931, when he joined as a network salesman. Previously he had been sales promotion manager of General Outdoor Advertising Co., and with Campbell-Ewald and Batten, Barton, Durstine & Osborn.

## *WMCA Day at Fair*

Radio's first official day at the World's Fair will be held on Friday when "WMCA Day" is celebrated with a two-hour broadcast, originating in the Hall of Special Events. Among those who will participate are Arthur Boran, Sid Gary, Jerry Baker, Allie Lowe Miles, Sheila Barrett, Rose Marie, Billy Jones, Billy Glason, Zefle Manners and others.

## *Track Meet on NBC*

The IC4-A track and field championships at Randalls Island Friday and Saturday will be broadcast exclusively by NBC. Program will begin tomorrow with pre-meet interviews and will end on Saturday with a two-and-a-half hour description of the finals.

## *Renew WNEW Deal*

Michael's Department Store has renewed its contract with WNEW for Richard Brooks, six quarter-hours per week, for another year.

# London to Expand Television Links

LONDON, May 23.—Provincial developments in television are foreshadowed by recent activities in Great Britain.

It is reported that a relay link, enabling the transmission of Alexandra Palace programs to a wider provincial area, is to be set up in the Chilterns—range of hills in the 30-40 mile limit of London's western and northwestern horizons.

Experiments toward a radio television link between Birmingham and London are being completed by Post Office engineers. The Postmaster General is at present considering recommendations made by him to the Radio Manufacturers' Association, who have offered a financial guarantee as backing to the establishment of a television station at Birmingham.

## *CEA, KRS at Odds In Television Fight*

LONDON, May 23.—Cinematograph Exhibitors' Association and Kinematograph Renters' Society conferred today, with E. J. Hinge, C.E.A. president, presiding, on the preparation of a memorandum to urge the Postmaster General to refuse permits for telecasts in film houses.

Failing to reach an agreement, the two groups decided to confer with their respective organizations again. The K.R.S. will meet next month, and the C.E.A. will take up the matter at the general council meeting at Blackpool, possibly referring the matter to local branches.

## *General Mills Renews*

General Mills has renewed its hour over NBC, effective at the close of this month. The programs in the hour are "Arnold Grimm's Daughter," "Valiant Lady," "Betty and Bob," and "Hymns of All Churches." The renewal is for one year, through Blackett-Sample-Hummert.

## *Vallee Resuming Here*

Rudy Vallee's broadcasts will be resumed from Radio City tomorrow, after broadcasts from Hollywood for the past eight weeks. For the homecoming, Vallee will present Max Baer, Lou Holtz, Robert Morley and Simon Barer.

## *Welch Renews Irene Rich*

Welch Grape Juice Co. has renewed Irene Rich for another year of broadcasting over the NBC-Blue network.

# Banner LINES

TED COLLINS, who is doing bit of all right handling Ka Smith's affairs, is now offeri two new productions for sponsorshi on the air. One is a feature presen ing Drew Pearson and Robert S. A len in a series based on and title after their political newspaper colum "The Washington Merry-Go-Ro The other is a dramatized story n "Linda Waring."

▼

*As a promotion for the series, M tual is presenting a session of th "Author, Author" program at the Ac vertising Club luncheon June 1. T session will be broadcast by WMC and the Inter-City network. WO Mutual will be unable to carry the own show because of the interferen of a commercial program.*

▼

**Gilbert Seldes will come out hiding today to meet the press a discussion on television at h office in the CBS television studi in the Grand Central Statio Seldes, since his recent return fro England, where he studied BB television production methods, ha kept out of sight of newspaperme while he prepared a report of h studies.**

▼

Some while ago NBC schedule coverage of last night's Madiso Square Garden fight between Pedr Montanez and Davey Day, assignin George Hicks and Bill Stern to cov the bout.

Thereafter the network apparent went to sleep on the matter, for th fight was not even scheduled in th program sheet from which newspa pers make their listings.

The awakening came yesterda afternoon when Hicks and Ster yelped to the publicity departme about the lack of publicity and th absence of listings.

▼

*"Five Star Final," pioneer new dramatization program, this Sunda will devote a considerable period its air time to enacting the story Haym Salomon. To enable the acto to characterize, and be familiar wi the story and dialects, Warners ha given permission to producer Ph Barrison and writer Milton Lewis bring their cast to the Warner proje tion room to see a special showing "Son of Liberty," Warner short whic is based on the life of Salomon.*

▼

**The television program produce are not overlooking a single bet i their experiments to learn ju what type of programs are be suited for the radio camera lense Apparently educational progran will occupy an important niche, f they plan to teach viewers how dance, play bridge, golf and tenni Just included in tonight's televisi schedule is a ballet lesson.**

▼

If Billy Rose is to be believed (a the figures are supposedly register by World's Fair official turnstiles the gate), 274,404 persons have a tended his Aquacade at the World Fair since its premiere May 4. Tha if our arithmetic is correct, amoun to 13,720 admissions a day. The fi ures compare more than favorab with Broadway houses playing the best productions.—JACK BANNER.

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OL. 45. NO. 101 NEW YORK, THURSDAY, MAY 25, 1939 TEN CENTS

# Berman Asks RKO Release By October 1

## Eager for Long Vacation; Successor Undecided

HOLLYWOOD, May 24.—Pandro S. erman is seeking to terminate his ntract with RKO as vice-president nd executive oducer in the ear future to ermit him to ke an extend- vacation.

Pandro S. Berman

Berman's con- act has until arch 1, 1940, run. Accord- g to present arngements the act would be rminated not ter than Oct. 1 the producer's quest. Berman said to have st asked for an early release from s contract about three months ago. RKO has not decided on a suc- ssor to Berman yet but will do so ell in advance of his retirement from e studio, it is said. There is a pos- ility that the future studio head will known by the time of the company's

(Continued on page 2)

## Coast Flashes

HOLLYWOOD, May 24.—A. Brigham se, attorney for Studio Technicians cal 37, involved in dispute with .T.S.E., said today he would con- with Attorney General Frank urphy and J. Edgar Hoover, F.B.I. ief, who arrived tonight. Rose said would ask Federal action against ternational officers.

◆

Long campaign of I.A.T.S.E. locals e for autonomy and recall of the per cent salary assessment were ited today in trial of suit by Local against I.A.T.S.E. for control of local. Stepehen Newman, former ernational representative, continued stand throughout the day.

◆

Screen Writers Guild today pro- ted to producers use of James osevelt's name in letter to N.L.R.B. cing that hearing of charges of agner Act violation not be re- ened. SWG said Roosevelt, vice- sident of Samuel Goldwyn Inc., not figured in the negotiations h studios.

## *Fight Plans to Limit Times Square Signs*

**A proposal to limit all billboards and illuminated signs in New York City, which would affect the Times Square area, and theatre marquee signs was opposed by real estate interests at a meeting yesterday before the city planning commission. Another meeting is scheduled June 1.**

## 4-A Acts to Merge 13 Member Units Into One Big Union

Consolidation of the 13 member unions of the Associated Actors and Artistes of America "into one union which shall include all performers in the entertainment world" was recommended in the first provisional report of the reconstruction committee at an international board meeting yesterday.

The "one big union" idea has been under discussion for several years, but it was not until Kenneth Thomson, executive secretary of the Screen Actors' Guild, came east early this year that a committee was appointed to study the matter.

The tentative nature of the report was stressed and it was pointed out that approval of any plan would require the endorsement of the membership of the various branches.

Nevertheless, it was stated that "the new plan hopes to meet the growing demand of the membershin for one

(Continued on page 2)

# TRADE PACT READY; REPORT DUE TODAY

## National Allied's Policies Win N.Y. Allied Approval

New York Allied, in the second day of its annual convention yesterday at the Astor, voted complete endorsement of Allied States' policies.

At the same time the convention urged that the parent body continue negotiations on the trade practice code and appoint a negotiating committee representative of all affiliated units.

Col. H. A. Cole told the convention that such a committee would be unwieldy as there are 17 units. Allied States welcomes recommendations from its regional groups, he said.

Cole privately disclosed that the trade practice recommendation will not be considered by the national board until the national convention in Minneapolis, June 13.

Abram F. Myers, Allied States board chairman and general counsel, will attend the convention today but is not scheduled to speak. Today's program starts with a luncheon at which the grievance committee will report. Open forum is scheduled at 2 P.M. A banquet will start at 8 P.M.

Harry G. Kosch, New York Allied counsel, read the resolutions stating the unit's stand with regard to Allied

(Continued on page 7)

## *Arbitration Issues Done; Submission to N. Y. Allied Is Likely*

Work on the industry trade practice program was completed yesterday. A joint meeting of sales executives and distribution company attorneys saw final touches put to the arbitration provisions of the plan, which will be sent at once to national and regional exhibitor organizations for their approval.

William F. Rodgers, chairman of the distributors' negotiating committee, said that a full report on the arbitration provisions would be made today. No official statement was issued on completion of the plan at the close of the seven-hour session yesterday.

### Exhibitors to Get Copies

Copies of the final draft will be mailed to exhibitor leaders as soon as they are completed. Allied of New York, now in convention at the Astor here, may be the first unit to receive a copy of the completed arbitration provisions.

It is believed likely that they will be discussed at today's session of the convention. Rodgers and Gradwell L. Sears, members of the negotiating committee, are to address the meeting today.

### Arbitration Final Chapter

Trade practice sections of the program are unchanged from the form in which they were made public last month. Completion of the arbitration provisions adds the final chapter to the program. Exhibitor acceptance of arbitration must be voluntary.

Members of the committee were Ned E. Depinet, Sears, Abe Montague and George J. Schaefer.

## *Managers' Union Seeking Rule in 150 N. Y. Theatres*

By ED GREIF

Film division of the Theatrical Managers, Agents and Treasurers Union has filed 13 petitions with the New York State Labor Relations Board for designation as collective bargaining agent for managers, assistant managers and press agents. About 150 independent circuit houses in the metropolitan area are named. The union claims a majority of the employes at the theatres involved.

This brings to a head the union's campaign to unionize film theatres in the east. The film division was organized six months ago.

The union has filed charges of unfair labor practices against Si Fabian circuit. It is alleged Joe Foster, manager of the Strand, Great Kills, and Harry Keller, manager of the Stadium, Tottenville, both on Staten Island, were discharged for union activity. The labor board has ordered hearings.

Joseph Weinstock's City Hall Theatre, Manhattan, is being picketed because the only T.M.A.T. member there, Edward Spritzer, assistant manager, was discharged for alleged union activity. The management denies that this was the cause for discharge.

Petitions for recognition have been filed, according to the union, against these circuits: Brandt, Prudential, Rugoff & Becker, Moe Rosenberg, Rayburn (Dave Weinstock and Harry

(Continued on page 7)

## *City to Escape New Sales Levy, Report*

**New York and other cities which have a sales tax will be exempted from the sales tax bill which will be sponsored in the coming special session of the legislature.**

**This was disclosed by Harry Brandt, I.T.O.A. president, who said he obtained the information from a legislative leader. There will be an enabling act to include an admission tax for localities which do not have a sales tax, said Brandt.**

# Berman Asks RKO Release By October 1

(*Continued from page* 1)

annual sales convention, to be held in the east beginning June 19.

Berman has been in charge of RKO production for the past five years. Prior to that he was assistant to Merian C. Cooper, while Cooper headed the RKO studio, and to David O. Selznick and William Le Baron, who occupied the post earlier. He also was associated with the old FBO company, predecessor of RKO, and held production posts with Universal and Columbia.

His desire to be responsible only for a small number of productions annually has been voiced frequently. For this reason it is believed here that at the conclusion of his vacation he may organize his own producing company to make several pictures a year for release through one of the large companies.

### Towne Sets 4 Films For Release by RKO

Gene Towne, producing independently for RKO under the name of "The Play's the Thing Productions," plans four films, "Swiss Family Robinson," "The Deerslayer," "Tom Brown's School Days" and "African Intrigue," it was disclosed following the return to New York of George Schaefer, RKO president, from the coast.

Two of the four will have screenplays by Towne and Graham Baker, associated with him in the new unit.

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**ADOLPH ZUKOR**, Paramount board chairman, and **JOHN W. HICKS**, vice-president and foreign manager, plan to sail for Australia on the *Niagara* from Vancouver, July 5.

●

**ARTHUR W. KELLY**, vice-president in charge of United Artists foreign distribution, was host last night to 50 British sailors at a home office screening of the Hal Roach film, "Captain Fury."

●

**EDMUND GOULDING**, director and playwright, who recentlv completed work on "The Old Maid" for Warners, is in town for a vacation.

●

**EDDIE SAUNDERS**, **ALFRED MCCOSKER**, **KEN MAYNARD**, **LOU HOLTZ**, **ARTHUR BODANSKY** among those lunching at Nick's Hunting Room in the Astor yesterday.

●

**JOSEPH BURSTYN**, associate of **ARTHUR L. MAYER** in the distribution of foreign films, sails for Europe on the *Champlain* today, for five weeks of conferences with French producers.

●

**JOHN H. PAYNE** has quit the Schine home office at Gloversville to become associate editor of *Gloves*, trade paper of the glove industry.

●

**MRS. PAUL DIETRICH**, wife of the owner of the Oxnard circuit, Los Angeles, visited the RKO World's Fair lounge yesterday. Others were **PHILIP N. BERGER** and **HERMAN FIELD**, Treat Theatre, Newark, and New York Allied delegates.

## 'U' Heads Leaving For Toronto Today

Nate J. Blumberg, Universal president; J. Cheever Cowdin, board chairman; W. A. Scully, vice-president and general sales manager, and F. J. A. McCarthy, eastern sales manager, leave for Toronto today to attend the sales convention of Empire-Universal Pictures tomorrow and Saturday.

In addition to the Universal officials, others attending will include Paul Nathanson, president of Empire-Universal, which distributes Universal product throughout the Dominion; Oscar Hanson, general manager, and Alf Perry, sales manager.

Blumberg will go to the coast following the meeting to establish summer headquarters, returning to New York only at brief intervals as his presence here may be required. Cowdin, Scully and McCarthy will return to New York following the meeting.

### Grainger to Detail Republic's Product

J. R. Grainger, president of Republic, left last night to attend the annual sales convention of Empire Universal Films, Ltd., Republic distributor in Canada, today and tomorrow, at the Royal York Hotel, Toronto. Grainger will outline the 1939-'40 program to delegates tomorrow, and will return Saturday.

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**GEORGE W. WEEKS**, general sales manager of Monogram, is attending the Kansas-Missouri Theatres Association convention in Kansas City today and tomorrow, and will make stops at various exchanges before returning to New York in three weeks.

●

**EDWARD SMALL** returned to Hollywood yesterday from a vacation in Hawaii to start activity on his 1939-'40 program for U.A. release.

●

**MARK JEROME**, author of Paramount's "Invitation to Happiness," visited with **A-MIKE VOGEL** of Managers' Round Table of *Motion Picture Herald* yesterday. **JEROME** leaves Saturday for Hollywood.

●

**FRED LANGE**, Paramount's Continental European manager who has been here for the past month on a home office visit, will sail for France Tuesday on the *Normandie*.

●

**LOU DIAMOND**, head of Paramount's short subject department, leaves for the coast shortly to examine independent product.

●

**SAM GALANTY**, mid-east division manager for Columbia, is in Pittsburgh on a short business trip from his headquarters in Washington.

●

**BILL ROBINSON** will celebrate his 61st birthday today with a tap dance at 2 p.m. from 61st St. and Broadway to the Broadhurst Theatre on 44th St.

●

**SANDER LAZAR** of the Schine publicity staff was married recently to **MARION BOOTH** of Albany.

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# Merger of 13 Unions in 4-A Draws Favo

(*Continued from page* 1)

card and one payment of dues a initiation fee."

The report continued with the ga to be had under a "one-for-all-a for-one" arrangement, econom operation, elimination of jurisdictio disputes, greater efficiency, greater ordination in organizational drives a better service to members.

Yesterday's board meeting was co cerned with two jurisdictional d putes. At the request of the S.A. decision on the claim of Equity control of television was deferred two weeks. Also postponed was tift between Equity and Americ Federation of Actors for jurisdicti over "Ziegfeld Follies" at the S Francisco World's Fair.

Florence Marston, eastern rep sentative of the S.A.G., is chairm of the reconstruction committee.

## *Rivoli Books Three Paramount Pictur*

Joseph Unger, Paramount easte and southern division sales manag has closed a deal with John Wrig manager of the Rivoli, for th Paramount releases, "Jamaica In and "London After Dark," both st ring Charles Laughton, and "Sto Life," starring Elisabeth Bergn The Bergner film will follow "T Mikado" at the Rivoli, probal about June 15, and "Jamaica In will play some time in July.

## *Hold 'Union Pacific'*

The Paramount will hold "Un Pacific" for a fourth week. The fi two weeks resulted in a gross of proximately $80,000. The film is n in its third week.

## *'Happiness' Dates*

World premieres of Paramou "Invitation to Happiness" will be h simultaneously in New York and S Francisco. It opens at the Paramo here May 31.

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From an Original Story by Dalton Trumbo

**arners gave it the action of 'Galahad'!**

**Warners gave it the laughs of 'Brother Rat'!**

## 'Let Freedom' Does $11,100, Minneapolis

MINNEAPOLIS, May 24.—Aided by the Shep Fields orchestra and stage entertainment, "Let Freedom Ring" got the best gross in Minneapolis, $11,100 at the Orpheum.

In St. Paul, the comparative leader was "Dark Victory" at the Riviera with $2,300.

Estimated takings for the week ending May 18:

***Minneapolis:***

**"They Made Her a Spy" (RKO)**
**"Back Door to Heaven" (Para.)**
**"Renegade Trail" (Para.)**
**"Inspector Hornleigh" (20th-Fox)**
ASTER—(900) (15c-25c) Dual bills, split week. Gross: $1,600. (Average, $1,500)

**"Dodge City" (W. B.)**
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)

**"Society Lawyer" (M-G-M)**
GOPHER—(990) (25c) 7 days. Gross: $1,800. (Average, $2,500)

**"Let Freedom Ring" (M-G-M)**
ORPHEUM—(2,900) (25c-40c) 7 days. Shep Fields Orchestra. Gross: $11,100. (Average, $4,800)

**"Rose of Washington Square" (20th-Fox)**
STATE—(2,300) (25c-40c) 7 days. Gross: $6,000. (Average, $4,400)

**"Grand Illusion" (World)**
WORLD—(400) (25c-55c) 7 days. Gross: $1,400. (Average, $1,400)

***St. Paul:***

**"You Can't Cheat An Honest Man" (Univ.)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $3,300. (Average, $3,200)

**"The Story of Vernon and Irene Castle" (RKO)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,000. (Average, $4,000)

**"Dark Victory" (W. B.)**
RIVIERA — (1,000) (25c-40c) 7 days. Gross: $2,300. (Average, $1,800)

**"Let Us Live" (Col.)**
**"Winner Take All" (20th-Fox)**
TOWER—(1,000) (25c) 7 days. Gross: $1,300. (Average, $1,500)

**"Three Smart Girls Grow Up" (Univ.)**
WORLD—(400) (25c-35c) 7 days, 2nd week. Gross: $700. (Average, $700)

## Ted Lewis, 'Code,' Score $11,000 for Milwaukee's Lead

MILWAUKEE, May 24.—"Code of the Streets" and Ted Lewis in person at the Riverside, grossed $11,000. Second money went to "Rose of Washington Square" and "Pardon Our Nerve" with $8,000 at Fox's Wisconsin.

Estimated takings for the week ending May 16-19:

**"The Story of Vernon and Irene Castle" (RKO)**
**"You Can't Get Away With Murder (W. B.)**
WARNER — (2,400) (35c-50c) 7 days. Gross: $5,000. (Average, $4,500)

**"Union Pacific" (Para.)**
**"Sudden Money" (Para.)**
PALACE—(2,400) (35c-50c) 7 days. 2nd week. Gross: $4,000 (Average, $4,500)

**"Mystery of the White Room" (Univ.)**
ALHAMBRA—(2,660) (25c-30c-40c) 7 days. Stage: Earl Taylor's Revue. Gross: $6,500.

**"Code of the Streets" (Univ.)**
RIVERSIDE—(2,700) (30c-40c) Stage: Ted Lewis. Gross: $11,000. (Average, $6,500)

**"Dark Victory" (W. B.)**
**"Twelve Crowded Hours" (RKO)**
STRAND—(1,400) (35c-50c) 9 days. Gross: $3,000. (Average, $2,000)

**"Rose of Washington Square" (20th-Fox)**
**"Pardon Our Nerve" (20th-Fox)**
WISCONSIN—(3,200) (35c-50c) 8 days. Gross: $8,000. (Average, $5,500).

# *Hollywood Preview*

### *"Unmarried"*

*(Paramount)*

HOLLYWOOD, May 24.—Buck Jones rides no horses and shoots no Indians in this soundly produced human-interest melodrama but he makes the regeneration of a down-and-out boxer a real and convincing experience. Helen Twelvetrees is equivalently successful in doing likewise with a night club proprietress assignment. It's a plain, direct and soundly conducted retelling of a Grover Jones-William Slavens McNutt story produced in other fashion with other players several years ago, a genuinely entertaining film.

Donald O'Connor plays the boy whose influence upon the principals brings them gradually to the straight and narrow; John Hartley plays the boy grown up. Robert Armstrong, Sidney Blackmer and Larry Crabbe are the others prominent in the casting. Lillie Hayward and Brian Marlow wrote the present script and Kurt Neymann directed with complete effectiveness.

Jones and Miss Twelvetrees investigate the estate of an associate killed by police and find themselves abruptly in custody of his now orphaned son who believes them man and wife and expects them to take care of him. Deciding to stay over in the small town for a day, their stay lengthens into years, the boy grows up, becomes a football hero and is being recruited for the boxing ring when Jones intervenes. The boy knocks out the aging pugilist, regrets it and asks that he and Miss Twelvetrees adopt him. The film ends as they are being married preparatory to doing so.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

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** "G" denotes general classification.*

## 'Angels' Hits $10,500 for Seattle Lead

SEATTLE, May 24.—"Only Angels Have Wings" scored the big gross at the Liberty with $10,500. "Rose of Washington Square" and "Pardon Our Nerve" took $7,900 at the Fifth Avenue, and "Union Pacific" drew $6,200 in second week at Paramount.

Estimates for week ending May 18:

**"The Hardys Ride High" (M-G-M)**
**"The Kid from Texas" (Para.)**
BLUE MOUSE — (950) (30c-40c-55c) 7 days, 3rd week. Gross: $3,300. (Average, $4,000)

**"Rose of Washington Square" (20th-Fox)**
**"Pardon Our Nerve" (20th-Fox)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $7,900. (Average, $7,000)

**"Only Angels Have Wings" (Col.)**
LIBERTY—(1,800) (25c-30c-40c-55c) 7 days. Gross: $10,500. (Average, $5,000)

**"Wuthering Heights" (U. A.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 3rd week. Gross: $3,200. (Average, $5,000)

**"Return of the Cisco Kid" (20th-Fox)**
**"Risky Business" (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 10 days. Gross: $4,600. (Average, $6,000)

**"One Third of a Nation" (Para.)**
PALOMAR — (1,500) (15c-25c-35c-40c) 7 days. Vaudeville headed by Chick & Lee. Gross: $5,100. (Average, $5,000)

**"Union Pacific" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 days, 2nd week. Gross: $6,200. (Average, $6,000)

**"Orage" (Tri-Natl.)**
UPTOWN—(750) (30c-40c) 7 days, 2nd week. Gross: $1,250. (Average, $1,500)

### *Films Made at Fairs*

Columbia has a camera crew getting shots at the World's Fair for a one-reeler which will be a companion film to "Man-Made Island," filmed at the San Francisco Fair.

### *'Mortal Storm' to Metro*

HOLLYWOOD, May 24.—M-G-M has acquired film rights to "The Mortal Storm," novel by Phyllis Bottome, which was published last year.

## 'Pacific' Big $11,000 Beats Denver Slump

DENVER, May 24.—"Union Pacific" continued to lead the field, in its third week at the Denham, with $11,000. Other houses were below average.

Estimated takings for the week ending May 17:

**"Dark Victory" (W. B.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $3,500)

**"Lucky Night" (M-G-M)**
**"Let Freedom Ring" (M-G-M)**
BROADWAY—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)

**"Union Pacific" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $11,000. (Average, $6,500)

**"Oklahoma Kid" (W. B.)**
DENVER — (2,525) (25c-35c-40c) 7 days. Gross: $6,500. (Average, $9,000)

**"Calling Dr. Kildare" (M-G-M)**
**"Beauty for the Asking" (RKO)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $7,500. (Average, $8,500)

**"Dodge City" (W. B.)**
**"On Trial" (W. B.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. "Dodge City" 4th week. Gross: $3,000. (Average, $3,500)

**"Three Smart Girls Grow Up" (Univ.)**
**"Winner Take All" (20th-Fox)**
RIALTO—(878) (25c-40c) 7 days. "Smart Girls" 3rd week. Gross: $1,500. (Average, $1,750)

### *'Conflict', 'Ecstasy' Bans Get Appeals*

ALBANY, May 24.—Application for review of the Board of Regents' ruling on the revised version of "Ecstasy," comes before Supreme Court Justice Gilbert Schenck Friday. Eureka Productions, appellants, hold exclusive American distribution rights.

Transatlantic Films, importer of foreign product, plans to appeal to the Board of Regents the N. Y. State Censor's ban on "Conflict," French film.

## 'Kildare' and Heidt $18,500 Philadelphia

PHILADELPHIA, May 24.—"Callin Dr. Kildare," plus Horace Heidt's uni on the stage, took a good $18,500 a the Fox. "Union Pacific" drew $15,000 at the Stanley.

"Wuthering Heights" at the A grossed $6,000 for the fifth week.

Estimated takings for the week ending May 18:

**"Wuthering Heights" (U. A.)**
ALDINE—(1,300) (32c-42c-57c) 7 days, 5t week. Gross: $6,000. (Average, $8,160)

**"Hardys Ride High" (M-G-M)**
ARCADIA—(600) (25c-42c-57c) 7 days, 3r run. Gross: $2,100. (Average, $2,800).

**"Dark Victory" (W. B.)**
BOYD—(2,400) (32c-42c-57) 6 days, 3r week. Gross: $8,500. (Average, 7 days $14,000)

**"Dodge City" (W. B.)**
EARLE—(2,000) (26c-32c-42c) 7 days, 3r run. Gross: $5,500. (Average, $8,000)

**"Calling Dr. Kildare" (M-G-M)**
FOX—(3,000) (32c-42c-57c-68c) 7 days ( days stage). Stage: Horace Heidt wit band, revue. Gross: $18,500. (Average $16,000)

**"Man of Conquest" (Rep.)**
KARLTON—(1,000) (32c-42c-57c) 7 days 2nd run. Gross: $3,000. (Average, $4,000

**"Story of Vernon and Irene Castle" (RKO**
KEITH'S—(2,000) (32c-42c-57c) 7 days, 2n run. Gross: $3,200. (Average, $4,000)

**"Hotel Imperial" (Para.)**
PALACE—(1,000) (26c-42c) 7 days. Gross $3,600. (Average, $4,500)

**"Union Pacific" (Para.)**
STANLEY—(3,700) (32c-42c-57c) 7 days Gross: $15,000. (Average, $14,000)

**"Confessions of a Nazi Spy" (W. B.)**
STANTON—(1,700) (26c-32c-42c) 7 days 2nd run. Gross: $6,000. (Average, $7,000)

## Strouds, 'Romance' Lead Kansas City Grossing $9,10

KANSAS CITY, May 24.—Strou Twins and "Romance of the Redwoods" did $9,100 at the Fox Tower "Rose of Washington Square" too $7,000 in two houses, the Esquire an Uptown.

Estimated takings for the week ending May 16-18:

**"Rose of Washington Square" (20th-Fox)**
ESQUIRE—(800) (25c-40c) 7 days. Gross $3,200. (Average, $3,000)

**"The Hardys Ride High" (M-G-M)**
**"Within the Law" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 days, 2n week. Gross: $5,700. (Average, $11,500)

**"Union Pacific" (Para.)**
NEWMAN—(1,900) (25c-40c) 8 days, 2n week. Gross: $6,900. (Average, 8 days $7,600)

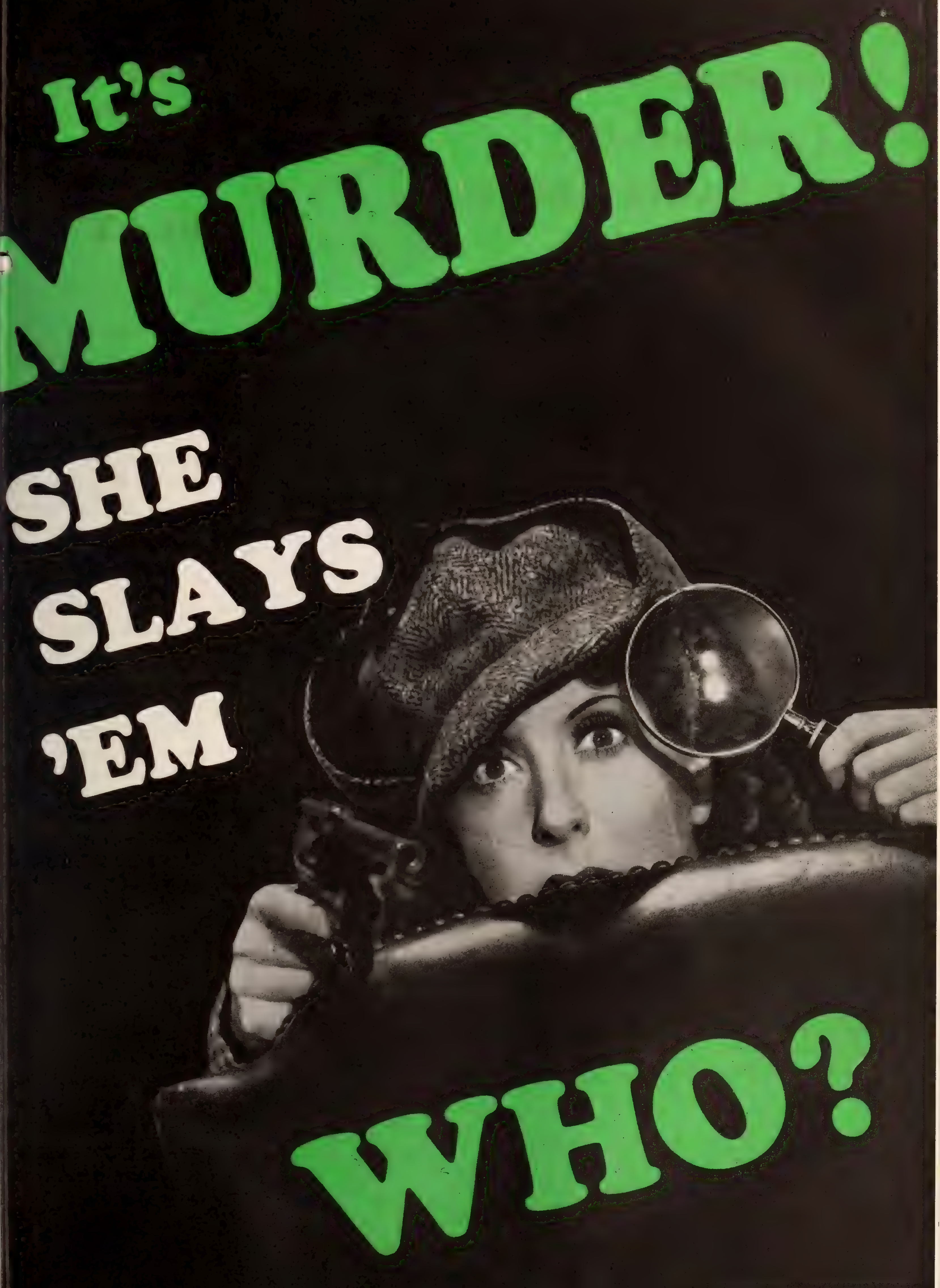
**"Confessions of a Nazi Spy" (W. B.)**
ORPHEUM—(1,500) (25c-40c) 7 days, 2n week. Gross: $3,100. (Average, $5,000)

**"Romance of the Redwoods" (Col.)**
FOX TOWER—(2,200) (25c-40c) 7 days Stage: The Stroud Twins, the Four Clovers Two Kays, Gilbert & Armon, and Al Zim my. Gross: $9,100. (Average, combinatio bill. $7,000)

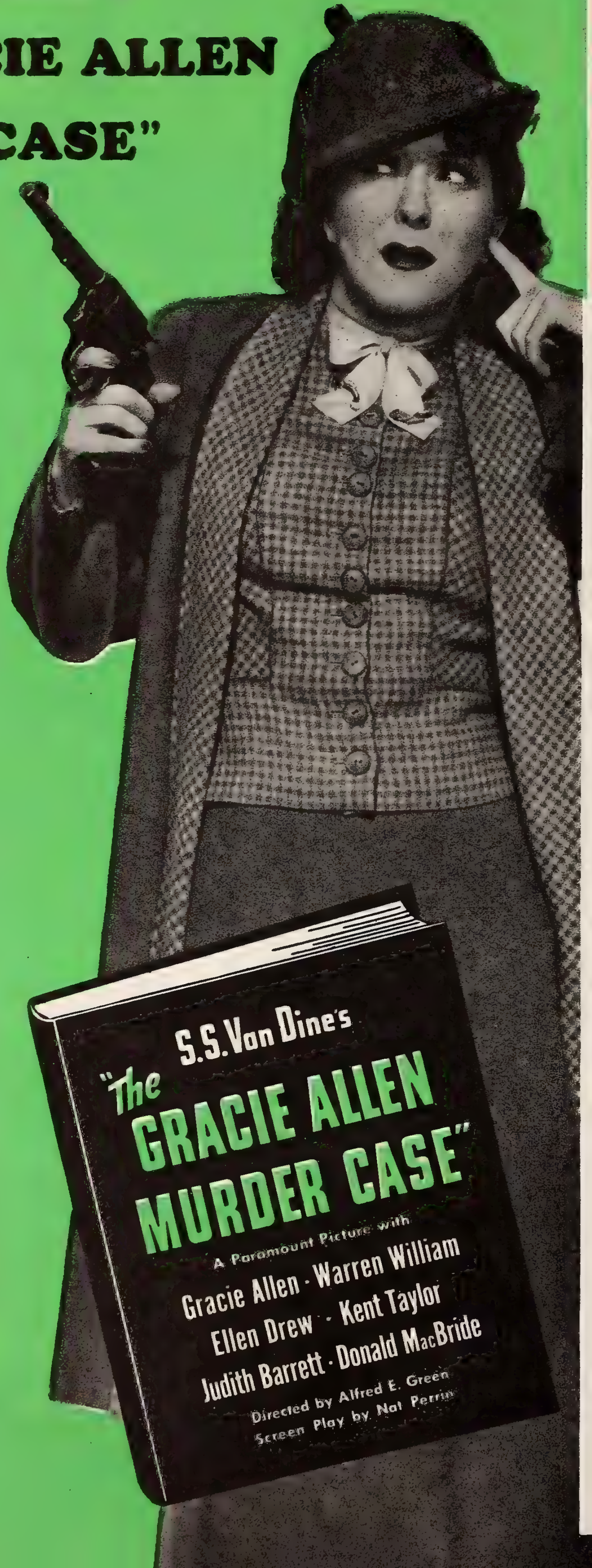
**"Rose of Washington Square" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 7 days. Gross $3,800. (Average, $3,500)

### *Reade Shifts Managers*

Walter Reade circuit has made several management changes, as follows Harold Van Orst, from the Queens boro, Long Island, to St. James, Asbury Park; Malcolm Marshall t Paramount, Asbury Park; Charle Litt, from Warren to Community Hudson, N. Y.; Edward LaRue t Warren; Richard Mooney, from Paramount to Casino, Asbury Park.


It's
MURDER!
SHE
SLAYS
'EM
WHO?

# Gum Shoe Gracie in Paramount's "THE GRACIE ALLEN MURDER CASE"


S.S. Van Dine's
"The GRACIE ALLEN MURDER CASE"
A Paramount Picture with
Gracie Allen · Warren William
Ellen Drew · Kent Taylor
Judith Barrett · Donald MacBride
Directed by Alfred E. Green
Screen Play by Nat Perrin

**Read what these West coast news-hawkshaws say:**

"Gracie keeps the audience in howls of laughter . . . one of the funniest pictures of the season . . . should be a box office winner."
—*Film Daily*

"Takes its place beside the most infectious comedies of this or any season . . . has exceptional earning capacity." —*Daily Variety*

"As hilarious as 'The Thin Man'." —*Motion Picture Daily*

"It's an uproarious amusing comedy. It is all-purpose, all-place entertainment, a complete justification of its innately humorous title and an extremely amusing film." —*Motion Picture Herald*

## Are you on the U.Paramount BEAT?

Have you done the top business all the others are getting with Paramount's "Midnight"? Have you joined the U. P (Union Pacific") Gold Rush? Have you read the great reviews on "Invitation to Happiness"... and, by the way, do you know that 9,784 women in special previews in 36 key cities have acclaimed this the best women's picture of the year? Have you heard the grapevine whisper that "Man About Town" is the best picture Jack Benny ever made . . . a smash? And did you read about how the jitterbugs actually danced in the aisles when we pre-viewed "Some Like It Hot". Also, what's the tune you hear every time you turn on a radio these days? "The Lady's in Love" and what picture is it from . . . right "Some Like It Hot"...Boy the gold is pouring out of that old Paramount mountain this spring . . . Paramount's on the UP BEAT ALL RIGHT... BETTER GET WISE AND GET YOUR GROSSES ON THE UP AND UP WITH PARAMOUNT.

# 150 Theatres In Managers' Union Drive

(Continued from page 1)

randt), Five Boro (Jack Hattem), Vindson (Hyman Rachmil and Isaac atz) and Kaybern (Ben Knobel).

etitions have been filed also inst individual theatres, including he Jewel, Brooklyn; Rex, Bronx; ostello, Manhattan; Stanley, Manattan, and President, Bronx. A petion naming the Nelson & Renner rcuit will be filed today, the union aid.

For the present the union is not eeking contracts covering wages, ours and working conditions, but is onfining its campaign to obtaining ecognition. Later a city-wide agreeent will be sought.

Such petitions usually are followed ithin several weeks by "invitations" y the state labor board to the emloyer to attend an informal hearing. the employer fails to attend, the oard usually sets a formal hearing at hich attendance is compulsory. If e employer denies the union repreents a majority of his employes, an ection is held.

A number of informal hearings have lready been held, but in several cases e circuits were not represented.

# ox Stockholders In Weisman Protest

Objections to the approval of the nal accounting of Milton C. Weisan as receiver of Fox Theatres Corp. which Weisman was attacked for llegedly managing the company in a negligent, grossly improvident and areless manner" were filed with Fedral Judge John C. Knox yesterday.

Judge Knox, upon receipt of the bjections, made by Gustavus A. Rogrs, chairman of the Fox Class A ockholders' protective committee, and e Trust Company of Georgia, orered hearings before a special master be named later.

Weisman, as receiver, and William . Atkinson, his predecessor, had filed etitions with Judge Knox requesting at the final accounting be approved nd that Weisman be discharged from s office. On Jan. 30, a plan of liquiation for the company was approved y former Circuit Judge Martin T. Ianton, and Weisman and Kenneth . Steinrich were designated as trusees to carry out the plan.

## 7,500 Contributed To Fund by 20th-Fox

Recent contributions by the home ffices of film companies in New ork to the Greater New York und, in addition to that of $10,000 y Loew's, Inc., include one of $7,500 y 20th Century-Fox.

Other firm gifts reported are: aramount, $5,000; Warners, $3,000; KO, $2,500; National Screen Serve, $1,500; Columbia, $1,000; Conolidated Amusement Enterprises, nc., operated by Laurence S. Bologino, and the Albemarle Theatre, rooklyn, $100.

# *Allied of N. Y. Indorses National Allied Policies*

(Continued from page 1)

States and trade practices. He declared they were framed to dispel any impression of friction with the national group.

Max A. Cohen, president, affirmed his belief in national Allied's policies. He said, however, that he favored "regulation from within," but failing "a true bill of rights" for independent exhibitors, his unit would continue to back the Government's anti-trust campaign. Give the trade practice code a fair trial, he urged.

Col. Cole reviewed Allied's sponsorship of legislation and litigation and the Government's prosecutions.

"It is not healthy for the industry to be under strict Government supervision, and I don't think that will be necessary," he said. "The time will come when we will have a clear definition of limits and rights by courts, legislature and Congress. When that comes trade practice negotiations will be undertaken and succeed. It will take big men and big thoughts to work out a fair, scientific basis."

Harry Brandt, president of the New York I.T.O.A., an unscheduled speaker attacked Allied States' policies and reaffirmed his belief in self-regulation. He called for a new national organization, led "by men with exhibitors' motives at heart," to which the I.T.O.A. could belong.

Arthur Pelterson of the Mitchell May, Jr., insurance office outlined savings possible in collective buying of liability insurance. Cohen appointed a committee which will meet shortly to draft a plan, which will have service as well as buying features.

· A scale of dues ranging from $35 to $100 a year was adopted on recommendation of the finance committee.

## *Chicago Men at Meet*

CHICAGO, May 24.—Headed by Jack Kirsch, Illinois Allied leader, about 35 members of the Allied Theatres of Illinois, as well as other local film men are expected to attend the national meeting of Allied in Minneapolis next month.

## *G. N. Takes 'Nation'*

LONDON, May 24. — Distribution rights to "One Third of a Nation" have been acquired by Grand National, Ltd., throughout the British Empire.

## *Phone Interview Of 12,000 Miles!*

**Ralph Doyle, Australian managing director for RKO, here for the sales convention next month, last night was interviewed by telephone by Eric Solomon of the *Film Weekly,* trade paper in Sydney, 12,000 miles away.**

**Doyle has appointed Percy L. Curtis as publicity head in Australia for RKO, replacing Victor Hobler, resigned.**

## New South Wales Cancellation Hit

Opposition to the 25 per cent cancellation provision of the New South Wales film legislation was voiced by Dan Carroll, Sydney theatre owner, who arrived yesterday from the coast.

The proposed standard contract for the Australian trade contemplates the 12½ per cent cancellation in the event New South Wales alters its film statute to conform.

Carroll will confer with home office sales executives and Charles Munro of Hoyts and Norman B. Rydge of Greater Union, also in New York, on Australian trade problems. Carroll came here as a delegate of the Australian Film Board of Trade. After a month he will visit England, then return to Australia by way of America.

## *Renew Drama Guild Pact Talks Shortly*

Discussion by the Dramatists' Guild of the proposed modification of the minimum basic agrement will be resumed shortly, it was learned yesterday. Sidney R. Fleisher, Guild attorney, has recovered sufficiently from a recent operation to permit him to attend council meetings. Members have been reluctant to go ahead in his absence because of the many legal phases involved. The proposed modification would permit film companies backing legitimate stage plays to buy rights in advance of production.

# *'Fury' Previewed at Fair; Australia Notables Attend*

A score of Australian notables attended the screening of the Hal Roach film, "Captain Fury," at the Australian Pavilion of the British Empire Building at the World's Fair yesterday.

"Captain Fury," which dramatizes the colonization of Australia, is the first feature production to be previewed at the World's Fair.

Highlight of the festivities was presentation of a bound copy of the Australian constitution to the U. S. government.

L. R. MacGregor, Australian High Commissioner at the Fair, and W. G. Van Schmus, managing director of the Music Hall, where the picture opens today, were hosts at the screening.

Among those who attended were Grover A. Whalen, U. S. Commissioner Edward Flynn, Sir Louis Beale, British Commissioner General; Douglas Cole, Canadian Trade Commissioner; Emil F. Horn, Consul for the Union of South Africa; Sirdar H. S. Malik, Indian Government Trade Commissioner; E. W. McCaulley, Irish Consulate General; Norman Yule, Commissioner General for Southern Rhodesia and R. M. Firth, Commissioner General for New Zealand.

"Captain Fury" was reviewed in MOTION PICTURE DAILY May 5.

# Survey Tells Of 'Menaces' In Ad Films

There is no general "consumer acceptance" at present for commercial films, despite the countless efforts to open the field over a period of years, according to a survey which will appear in *Business Week* on Saturday.

"There are probably less than 200 consistent business users of sound pictures in the country," according to the publication, which places the responsibility for the situation first on producers of industrial subjects. "The one-camera, fly-by-night 'Hollywood' directors who have flitted in and out of the field" are called the "curse of the business."

"The professional optimists who have glossed over the very real problem of distribution with their talk of unlimited circulation have been another menace," the publication says.

Hollywood is blamed as an "oppressing factor" in the development of the commercial film, but one of the most important reasons for slow progress of commercial films, according to *Business Week,* is that advertising agencies have not been sold on them.

It is reported that business men are puzzled by the "complicated production and distribution machinery."

Of several hundred organizations which label themselves producers of commercial films, there are about 20 who own adequate studios, and these do about 80 per cent of the business.

## *Langton Tops Para. Writing Department*

HOLLYWOOD, May 24.—Francis Langton has been appointed head of the Paramount studio writing department, succeeding Manny Wolfe, whose duties as story editor were assigned to Richard Halliday last week.

Langton has been with Paramount for seven years. Wolfe plans to enter production.

## *Rushing Copyright Report to Congress*

Work on the proposed changes in the Federal Copyright laws which has been in progress for many months may be completed tomorrow. Present plan is to have the recommendations in shape for submission to Congress early next week.

## *To Resume Picketing*

HARTFORD, May 24.—Operator union has notified E. M. Loew's Theatre that picketing will be resumed following Supreme Court nullification of the anti-picketing injunction issued last year, if A. F. of L. units are not met in a bargaining conference. The Supreme Court reversed the earlier decision of the Superior Court.

## *Gregg Sentence a Year*

CHICAGO, May 24.—R. E. Gregg, operator of Pan-American Film Laboratories, who pleaded guilty to violation of the copyright law by making unauthorized prints of films, was placed on probation for one year, and not six months, it was disclosed when the final papers were handed down.

# FCC to Delay Setting Rules On Television

WASHINGTON, May 24.—Recommending a policy of delay in acting on standards for television proposed by the Radio Manufacturers Association, the special television committee of the FCC today submitted a report that "practical television services to the public on a nationwide basis cannot be expected for some time."

The committee pointed out that facilities for the nationwide distribution of television programs have yet to be developed, financed and constructed. For the next few years only metropolitan centers will have television, it was said.

The commission was urged to adopt a policy of cooperation with the industry and undertake further studies so as to keep abreast of developments. A formal hearing on the subject of proposed standards is considered inadvisable at this time "because it does not appear that constructive results will be obtained at this early stage of development."

## *Pick Two Winners In Gateway Contest*

Eliminations for the second series of "Gateway to Hollywood" contests conducted by RKO were held at the Hotel Warwick yesterday. Winners were Marie Nash and Robert Shackelton. They will be considered for roles in "Three Sons."

Among those present were Jules Levy, J. J. O'Connor, Fred Meyers, Ed McEvoy, Phil Reisman, Cresson Smith, H. M. Richey, Arthur Willi, Ralph M. Doyle, S. Barret McCormick, Rutgers Neilson, Harry Michalson, Max Fellerman, Ben Cammack, Harry Mandell, Louis Goldberg, Leon Bamberger, John Cassidy, Russell Emde, Herbert Rawlinson, Frances Robinson-Duff and Nancy Carroll.

## *Joan Edwards Renewed*

Joan Edwards has been renewed as the featured feminine vocalist on the Paul Whiteman program for another 13 weeks, effective July 12.

## *Gets Record Account*

Ward Wheelock Co. has been appointed advertising agency of American Record Corp., CBS owned and operated.

# *CBS Expects Television Delay Until Mid-Summer*

## *Air Show on Stage Boosts Loop Gross*

**Chicago, May 24.—Staging of the NBC network show, "Dr. I. Q.," from the stage of the Chicago Theatre every Monday night is proving a strong box-office draw, Balaban & Katz report. The two broadcasts to date have increased grosses for the day about $1,000, it is reported.**

**The "Dr. I. Q." show is slated to appear at the Chicago for four weeks, but may be held longer if it continues to pull.**

## *Blames Slow Equipment; New Field to Benefit Cinema—Seldes*

CBS will not be on the air with television until "sometime in midsummer," it was said yesterday by Gilbert Seldes, television program director.

This is a setback from the time originally set for the CBS start sometime in June. The delay is occasioned by a wait for equipment.

Seldes, recently returned from London, where for six weeks he studied BBC television production methods, said that Columbia's television program schedule will, at the outset, consist mainly of CBS studio productions, and filming of news events.

Seldes said that the televising of stage shows and motion picture films is still somewhat far off. He added, however, that the picture industry and the allied radio and television industries ultimately will "get together."

Experience in London has shown, he said, that television can be a definite asset to both the stage and screen interests. Theatre producers in London, he said, have publicly declared that the televising of plays, or excerpts, have helped the boxoffice business.

As an example of what television can do for the cinema, Seldes disclosed the experience of the documentary film, "The River." Booking of the film had been desultory, until the BBC broadcast it on television, whereupon, through the great public interest aroused, its bookings increased ten fold.

## Record Crowds See Telecasts of Derby

LONDON, May 24.—Theatre telecasting in England established new records today with the showing of the running of the English Derby at Epsom Downs.

Screenings were held at four major West End houses. A total of 5,000 saw the screening via the Baird System at three film houses, with the race clearly shown from start to finish. The new Baird cathode tube was credited with giving improved definition. The Scophony System was used at the Odeon, on a large screen.

Electrical Musical Industries (EMI) previewed large screen television apparatus at its Hayes factory today. The company may follow Baird in attempting to enter the United States market.

## *Approve Relay Station*

SAN FRANCISCO, May 24.—Permission to build an experimental relay broadcast station, using call letters W6XDP, has been granted KSFO, local CBS outlet, according to manager Phil Lasky. Station will be ready for first broadcast in July.

## *Extend Ed Hill Series*

Metropolitan Life Insurance Co. has extended Edwin C. Hill's "Stop, Look and Listen" series to WOL, Washington, and effective June 5 to WAAB, Boston, both Mutual network stations.

## *Renew 'Vox Pop' Series*

Kentucky Club Tobacco Co. has renewed Parks Johnson and Wally Butterworth, conductors of the "Vox Pop" broadcasts. Series is heard on the NBC-Red.

## *New Station in Mexico*

MEXICO CITY, May 24.—This city has a new commercial radio station, XESM, of 1,400 kilocycles. It is owned and operated by Salvador San Martin.

## *KRIC Is Organized*

AUSTIN, Tex., May 24.—KRIC, Inc., Beaumont, has been granted a charter for radio broadcasting under authorized capital of $50,000.

# *Rural Vs. City Radio Popularity*

Cooperative Analysis of Broadcasting, producer of the "Crosley Reports," has just concluded its third annual survey of program audiences of rural areas, which gives ratings for all network programs broadcast in the basic area, rural versus city.

The study reveals that in comparison with city people, rural set owners use their receivers more in the daytime and less at night. Generally evening programs rate less in rural communities than in cities, while daytime programs rate higher.

Out of 89 evening programs, only 14 rated higher in rural areas, while out of 67 daytime programs, only 11 rated less in rural than in urban communities.

Among evening programs comparatively more popular with rural people are: National Barn Dance, rural 18.4, city 9.4; Lowell Thomas, 19.2 versus city rating of 12.8; Mr. Keen, Tracer of Lost Persons, 11.7 against 8.6; Lum and Abner, 10.7 compared with 6.0.

In the daytime, Joyce Jordan, Girl Interne; Bachelor's Children; The O'Neills; Women in White; Road of Life; Little Orphan Annie; and Valiant Lady rated considerably more in rural areas than in cities, each of them being between 40 and 65 per cent more popular in country districts than in the Cooperative Analysis of Broadcasting cities.

Members of the governing commitee of the C.A.B. are D. P. Smelser of Procter & Gamble; C. H. Lang of General Electric; George Gallup of Young & Rubicam; A. Wilbor of General Mills; L. D. H. Weld of McCann-Erickson and A. W. Lehman of the C.A.B.

# Banner LINES

INVARIABLY when an import
special news event "breaks"
networks bicker about which was fi
on the air with vital news. T
Squalus sub disaster has provided
most recent basis for claims. Tl
would be funny if it were not suc
tragic subject.

Mutual was first under the
yesterday with a claim that i
first on the air with news that
rescue chamber was on the way
from the sunken sub with seven m
aboard. That was at 1:18 P.
NBC's special events department ca
next with the claim that they were
the air first, at 1:25 P.M., with ne
that the rescue chamber was *abo*
the waterline.

CBS doesn't claim anything, 
pointedly says that it broadcast 
rescue news at 1:29 P.M. NBC wa
it known that it was first on the
with the news of the dead, at 1
P.M., while Mutual says it was fi
on the air with the casualties.

Two asides are worth noting
connection with the Squalus broa
casts. One is the telegram sent
John Shepard, president of the Colon
network to his news editor, Lela
Bickford, who was "feeding" pr
grams to Mutual. Learning that Bic
ford was about to go on the air
read a list of the probable casualti
Shepard wired Bickford:

"Son, be sure that you get tho
names right!"

The other is the fact that WAE
did not cut into the baseball comme
cial for a broadcast from Portsmou
but instead sliced into the Empire D
broadcast, in which all parts of t
British Empire saluted King Geor
and Queen Mary. Probably eve
Irishman within earshot of a receiv
tuned to the salute broadcast w
write bitterly to CBS because t
slice occurred in the Irish portion
the broadcast.

▼

**NBC's press department (wi
such vehemence!) denies it we
to sleep in publicizing the Da
Montanez fight, and offers pro
that the fight was scheduled in i
daily program listings to new
papers. We do not need to e
amine the evidence. Any depar
ment that can protest with such vi
is sufficiently wide-awake for us.**

▼

*CBS has just finished constructi
of a news room and a news studi
adjoining. To facilitate the passi
of news copy from the news room
the studio, a glass-enclosed slot, ve
much like one of those Automat re
taurant slots, has been inserted in t
wall separating the rooms. Yesterd
a wag placed a stale piece of app
pie in the receptacle and hung up
sign reading, "Apple pie, two nickels*

—JACK BANNER.

## *New Ipana Series Set*

Bristol Myers Co. has purchase
rights to "The Life of Mary Sothern
a dramatic serial, for five-time-a-wee
daytime sponsorship over five mi
western stations for Ipana Toothpast
Pedlar & Ryan is the agency.

## *Compton Gets Wheaten*

Wheatena Corp. has appointed th
Compton agency as its advertisin
agency. The account formerly wa
represented by Rohraback & Gibso

DO NOT REMOVE

M. P. PRODUCERS &
DISTRIBUTORS OF AM.,
28 WEST 44TH ST.,
NEW YORK,
N. Y.

Alert,
Intelligent
and
Indi
to th
Pictu
Indus

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 102 NEW YORK, FRIDAY, MAY 26, 1939 TEN CENTS

# U.S. Charges 55 Coercions To 4 Majors

## ill of Particulars Filed In Anti-Trust Suit

The Government filed a detailed list 55 specific instances of alleged co- ion and "distress selling" on the t of defendant film companies in Federal District Court yesterday. e list was filed as part of the Gov- ment's bill of particulars in its i-trust suit.

aramount was charged with 43 tances of coercion, 20th Century-x with six, Warner Bros. and O with three each.

**Violations Cover 20 Years**

ccording to the bill, the alleged awful acts involved 93 theatres r a period extending from 1918 ough 1938. In 23 instances, ex- itors were forced to sell their the- es; in 10 instances exhibitors were rived of product; in seven in- nces producers threatened to build npeting houses; in six instances atre owners were forced to lease ir houses; in four cases they were rced under threat that the majors uld acquire competing theatres; ce licenses were refused to exhibi- ; twice excessive film rentals were rged; and once an exhibitor was ced to cancel construction of a the- , the bill stated.

he bill was qualified by the state- nt that the Government was un- to furnish a complete list at the sent time.

he bill listed the following exhibi- as allegedly being coerced by Par-

(*Continued on page 9*)

## *Coast Flashes*

Hollywood, May 25.—Application Sacramento yesterday for incor- ation of Television Productions, ., with Paul Raburn, executive as- ant to Barney Balaban, as presi- t, was explained today by the amount studio as anticipatory for atever advances television may ke. Y. Frank Freeman is vice- sident, Edith Shaffer, secretary, lter B. Cokell, treasurer.

•

Hollywood, May 25.—Gaylord yt Productions, Hoyt, president, n J. Raskob, Jr., secretary-treas- r, was formed today to produce ustrial advertising films here.

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# Code's Arbitration Terms Go to Exhibitors For O. K.

## *Rodgers Urges National Allied to Give Plan Its Indorsement*

By AL FINESTONE

William F. Rodgers, general sales manager of M-G-M and chairman of the distributors' trade practice negotiating committee, urged adoption of the code by Allied members in an address at the final session of the New York Allied convention at the Astor yesterday.

"We will get it adopted if we have to go out personally and canvass 17,000 theatre owners," Rodgers said, the inference being that the distributors will, if necessary, seek to obtain signatures to the code through their sales staffs in the field. Max A. Cohen, president, introduced Rodgers.

**Quick Approval Urged**

Rodgers said later that the code will go into effect as soon as a majority of exhibitors sign it. He reiterated the desire of the distributors to set up arbitration machinery as quickly as possible.

Abram F. Myers, Allied States' board chairman and general counsel, who preceded Rodgers as a speaker, told the convention that Allied's "final decision on the code should be arrived at, after discussion, by the time of Allied's national convention in June."

Allied's leaders, Myers declared, "will do finally what they think is

(*Continued on page 7*)

## *Settlement of Industry's Differences Voluntary; Seek Early Approval*

By SHERWIN A. KANE

Proposed rules of arbitration for the industry trade practice code, providing for the establishment of arbitration boards in 31 exchange centers, were mailed to national and regional exhibitor organizations yesterday.

William F. Rodgers, chairman of the distributors' negotiating committee, advised exhibitors that further discussion of the arbitration provisions with a view to changes or additions might be bad.

However, while minor changes in trade practice provisions will appear in the fourth draft of the plan, negotiations will not be reopened on trade practice subjects.

**Exhibitors' O.K. Needed**

Acceptance of the arbitration provisions by exhibitors will be at their own election. If an exhibitor does not sign the arbitration agreement he can neither bring a complaint nor have a complaint brought against him for adjudication by a local arbitration board. However, ultimate success of the provisions obviously de-

(*Continued on page 7*)

## *Neely May Force Vote On His Bill*

**Washington, May 25.—Irked by inability to obtain prompt action on his anti-block booking bill, Senator Neely today warned the Senate he would move tomorrow for consideration of his resolution to discharge the committee in charge of the measure. This would force the bill to a vote on the floor.**

## Browne Defended On IATSE Funds

Los Angeles, May 25.—George E. Browne, I. A. T. S. E. president, has "no one but his conscience" to account to for the two per cent assessment levied on union members, Judge Henry Willis ruled today in Superior Court.

Judge Willis is hearing trial of suit by officers of Studio Technicians Local 37 against International officers for control of the local. The judge ruled that Browne is empowered by I. A. T. S. E.'s constitution and by-laws to dispose of the funds as he sees fit. Local 37 counsel had sought to show that the president failed to account for the money.

## *Theatres Suffer Drastic Rise in Insurance Rates*

By ED GREIF

Exhibitors are paying more for their liability insurance, beginning this week, as a result of rate increases which have gone into effect nationally.

Rates are fixed by the National Bureau of Casualty and Surety Underwriters which says that the experience tables prove the number of claims has risen and the cost per claim has also gone up. Another factor cited is that calculations were poorly made when rates were changed in 1935 from a seat to an admission basis.

Insurance companies base the rise on experience tables drawn from policies written between May, 1935, the date of the last increase and Dec. 31, 1936.

Boston is hit hardest with a rise from 15 cents to 25 cents per 100 admissions. Kansas City and St. Louis houses must pay 21 cents instead of 15. New York City, except the borough of Richmond, rises from 11 to 18. Based on estimated insurance company seat and attendance figures, rates have risen in New York City from 40 cents per seat in 1927, to 51 cents in 1935, and to 71 cents per seat at present.

Since each state has its own rate, and large cities within the states have separate rates, experience tables are based on particular localities. During the experience period (policies written between May, 1935 and Dec. 31, 1936) 1,736 claims arose from 336,300,000 insured admissions in New

(*Continued on page 2*)

## U. S. Will Be 'Fair,' Promises Murphy

Los Angeles, May 25.—"We are doing the most in our power to do the equitable thing," Attorney General Frank Murphy declared today when asked if the trade practice code would obviate the necessity of trial of the Government's anti-trust suit against major companies. He is here in connection with an F.B.I. investigation of "possible labor racketeering," including film unions.

"In all such matters, we are attempting to be constructive," he said. "We are doing all in our power to conduct matters to the best interest of the public. No one can say we have destructive thoughts at heart. We are conducting a constructive campaign to promote public good through releasing all industries to free competition."

He parried questions relating directly to the film case and attempted to confine the interview to general phases of the Government's anti-trust drive. He was non-commital on the

(*Continued on page 7*)

# ◂ Purely Personal ▸

WILL H. HAYS will speak on the Indiana Day program at the New York World's Fair next Thursday afternoon at the invitation of Governor Townsend of Indiana.

•

Frank W. Huss, Jr., Associated Theatres, Cincinnati; Mr. and Mrs. A. Stone, Eagle Theatre, Albany, and Mr. and Mrs. Thomas di Lorenzo, New Paltz Theatre, New Paltz, N. Y., were among visitors at RKO World's Fair Lounge yesterday.

•

Richard Rosson, M-G-M cameraman, and Mrs. Rosson have been released by German Secret Police after having been held for a month in Vienna on charges of photographing military objects.

•

Leon Rosenblatt has been appointed chairman of the committee on arrangements for the I. T. O. A. delegation which will attend the national Allied convention in Minneapolis June 13-15.

•

Arthur Treacher presented a plaque to the typical American family of New Rochelle, N. Y., selected by the Rotary Club, on the stage of Loew's Theatre there.

•

Arthur A. Lee, Gaumont British vice-president, left last night night to address the Empire Universal sales meeting in Toronto. He will return Monday.

•

Abe Montague and Rube Jackter will arrive in New York today from the coast after conducting the last of Columbia's three regional sales meetings there.

•

Joseph Allen, Jr., will retain the "Jr." in billing, to avoid confusion with his father, stage player, the Paramount studio has decided.

•

Robert Mintz, Hal Horne, Kay Kamen, Dave Sussman, Sid Weill, Bert Mayers lunching at Bob Goldstein's Tavern yesterday.

•

Herman Wobber, Arthur Loew, Mort Spring, Conrad Nagel, Charles E. McCarthy, at Sardi's for lunch yesterday.

•

E. J. Vallen, president of Vallen, Inc., leaves today for Akron after attending the N. Y. Allied convention here.

•

William Boyd will be guest of honor at the Des Moines *Register and Tribune* convention June 10.

•

George Kann, manager of Loew's Willard, is vacationing at his summer place at Oakdale, L. I.

•

Pat Casey, producers' labor contact, plans to leave New York for the coast early next week.

•

H. A. Ross, president of Ross Federal, returns early next week from a trip to branches.

# Judell Forms Producing Firm, Bills 36 Features

Formation of a new producing company with national distribution outlets was announced here yesterday by Ben Judell, a veteran of 34 years in the industry.

Judell said the company plans production of 36 features for the new season, with three releases a month scheduled beginning Sept. 3. A minimum of $1,000,000 will be spent on the program, he said.

Sig Neufield will be in charge of production and the new company, whose name has not been decided yet, will have six associate producers. Studio space will be rented in Hollywood.

Distribution will be through Judell's own offices in some key cities and through regional distributors in others. A total of 27 exchanges is planned, he said. Among them will be offices which he plans to operate himself in Chicago, Milwaukee, St. Louis, Kansas City, Philadelphia, Los Angeles and Washington.

Other distributors include the following: Pittsburgh, Lou and Milton Lefton of Monarch Pictures; New York, Melvin Hirsch and Bert Kulick of Syndicate Pictures; Cincinnati, Lee Goldberg; Detroit, William Flemian and Ann O'Donnell of Excellent Pictures; Boston, Harry Asher; Cleveland, Lee Goldberg, and San Francisco, Armand Cohn of All-Star Film Distributors.

Harry Rathner has been named sales manager and eastern representative with headquarters in New York. Jerry Olenick will be advertising and publicity manager at the main offices in Los Angeles.

Judell, who has been here for a week completing organization of the company, leaves for Chicago today en route to the coast.

# Special for 'Lincoln' Leaves Here Monday

A special train, carrying newspaper and trade paper people and guests from the east, will leave New York at 2:30 P.M. Monday for the Springfield, Ill., premiere of the 20th Century-Fox film, "Young Mr. Lincoln" on May 30.

From 20th Century-Fox will be Charles E. McCarthy, director of advertising and publicity; Earl Wingart, publicity manager; Leonard Gaynor, Christy Wilbert, William Chambliss, Jeannette Sauer, Irving Lincer, in charge of transportation, and Roger Ferri. Rodney Bush, exploitation manager, and Lou Davidson are in Springfield preparing for the premiere.

Roy Dannenbaum of the coast publicity department will be in charge of a group of stars who will arrive in Chicago Tuesday and then leave for Springfield.

Lowell Thomas will give his regular NBC news broadcast from Abraham Lincoln's home in Springfield on Memorial Day, in addition to acting as master of ceremonies for the opening.

The Hollywood stars and visiting newspaper men will be guests at a luncheon by the Mid-Day Luncheon Club of Springfield on Memorial Day. Mayor John W. Kapp will welcome the visitors.

## Strict Censorship To Stay in Omaha

**Omaha, Neb., May 25.—Dan Butler, re-elected mayor, today announced he is going to continue his stiff censorship over films, drama and night life here.**

**"I'm going to see that we have decent, clean shows and literature in Omaha," he said. "We don't want scavengers, chiselers and gamblers here."**

## 'Gorilla' to Roxy; Grosses Reported

"The Gorilla" opens today at the Roxy. "Rose of Washington Square" grossed an estimated $30,000 in its third week here. "Kid from Kokomo" drew an estimated $25,000 at the Strand and is held over. Sixth week of "Wuthering Heights" attracted an estimated $15,000 at the Rivoli. At the Music Hall, "Only Angels Have Wings" grossed an estimated $70,000 in its second week. "It's a Wonderful World" drew an estimated $25,000 at Capitol. "Three Waltzes" (Vedis) goes to 55th St. Playhouse June 3.

## Set Variety Club Banquet

Pittsburgh, May 25.—John Harris, chief barker of the Variety Clubs of America, has set the 12th annual Variety Club banquet for Oct. 29.

# The Newsreel Parade

*New issues concentrate primarily on the rescue of the survivors of the submarine Squalus. Visit of England's King and Queen also gets considerable attention. The reels and their contents follow:*

MOVIETONE NEWS, No. 74—Submarine rescue. Roosevelt speaks at Retailers Forum. King and Queen in Canada. Archbishop Spellman takes post. Christen giant plane. Sweepstake winners.

NEWS OF THE DAY, No. 272—Navy rescues sub crew. Plane in test hop. Enthronement of Archbishop Spellman. Britain's Monarchs tour Canada. Sweepstake winners.

PARAMOUNT NEWS, No. 85—Submarine disaster. King and Queen at dedication of War Memorial in Canada.

RKO PATHE NEWS, No. 89—Submarine rescue. Roosevelt discusses Government debt. Airplane crashes. Golf tryouts. Wisconsin honors right to vote. Premature birthday party for King in Canada. Archbishop Spellman installed. "Town of Tomorrow" at World's Fair.

UNIVERSAL NEWSREEL, No. 774—Squalus disaster. Wisconsin grants vote certificates. Roosevelt addresses Retailers Forum. Plane in trial flight. Army plane crashes. Pet parade. Frog jumping contest. King and Queen in Canada. Argentine training ship in New York.

# Surety Rates For Theatres Rise Sharply

(Continued from page 1)

York City, or approximately 5.2 per million.

No basis of comparison exists, because prior to 1935 insurance written on a seat basis. In 1929, claims resulted from each 10,000 seats insured. In 1930, 17.9; 1931, 23.5; 1932, 23.9; 1933, 26.8; 1934, 23.0; first part of 1935, 29.9.

Cost per claim filed, however, affords a basis for comparison. In 1929, average cost per claim was $187; 1930, $105; 1931, $138; 1932, $165; 1933, $159; 1934, $132; 1935, $141; 1936, $182.

As a minor compensating factor to the rate rise, is the fact that property damage insurance (clothing, etc.) has been reduced from two cents per 100 admissions to 1 cent.

In some states, such as New Jersey, Connecticut, Ohio, Michigan, Alabama, Florida, Oregon, Minnesota, and Texas, rates remain the same.

### Increases Listed

Increases in some representative states follow. All rates are for minimum $5,000-$10,000 coverage for personal injury public liability policies. The tabulation indicates the rate in cents per 100 admissions.

| State | New rate | Old rate |
|---|---|---|
| N. Y.: | | |
| N. Y. C. (except Richmond) | 18 | 11 |
| Remainder | 10 | 6 |
| Mass.: | | |
| Boston | 25 | 15 |
| 11 cities | 12 | 10 |
| Remainder | 10 | 9 |
| California | 8 | 6 |
| Ill.: | | |
| Chicago | 10 | 6 |
| Remainder | 5 | 5 |
| Penn.: | | |
| Philadelphia | 9 | 6 |
| Pittsburgh | 13 | 10 |
| Remainder | 5 | 5 |
| Mo.: | | |
| Kansas City and St. Louis | 21 | 15 |
| Remainder | 14 | 10 |
| Wash., D.C. | 12 | 10 |
| Rhode Island: | | |
| Providence | 13 | 10 |
| Remainder | 5 | 5 |
| Wisconsin: | | |
| Milwaukee | 9 | 6 |
| Remainder | 7 | 5 |

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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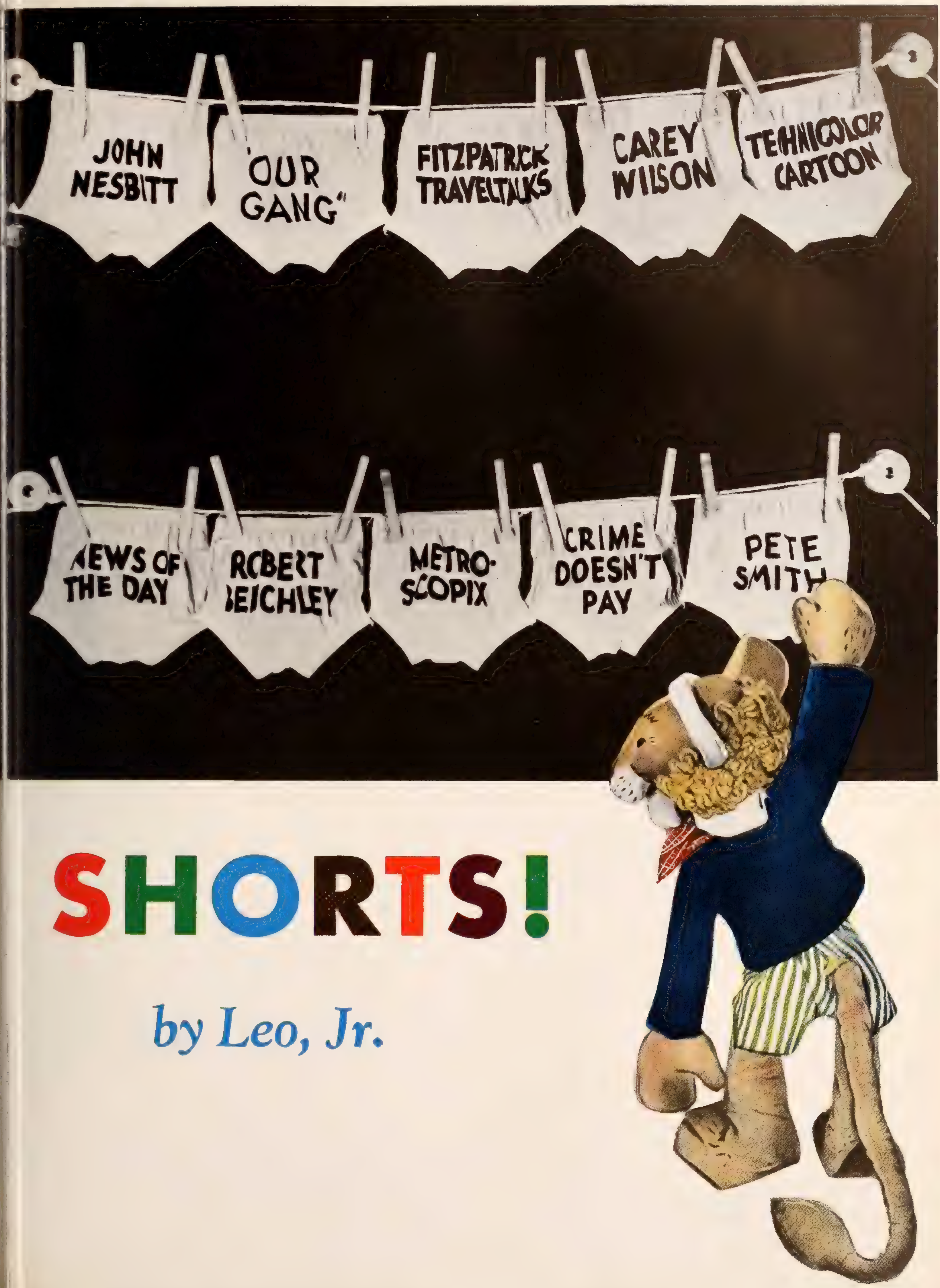

JOHN NESBITT
"OUR GANG"
FITZPATRICK TRAVELTALKS
CAREY WILSON
TECHNICOLOR CARTOON
NEWS OF THE DAY
ROBERT BENCHLEY
METRO-SCOPIX
CRIME DOESN'T PAY
PETE SMITH

# SHORTS!

*by Leo, Jr.*

# SHORT-

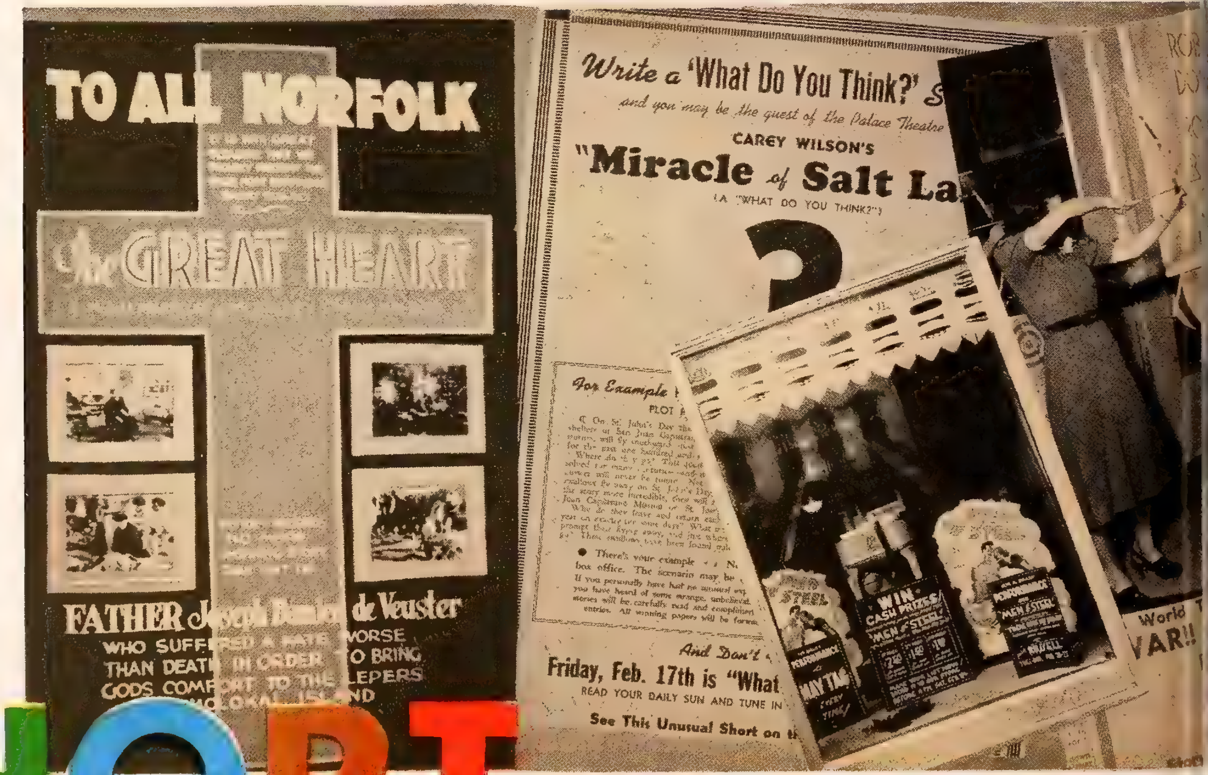
## but to the point—let's be frank about 1939-40!

Virtue is its own reward!
M-G-M has fought the battle of Shorts!
The early 1939-'40 selling is convincing proof!
Exhibitors are generously rewarding us today
For a long established and unchanging policy of quality.
We believed sincerely in the importance of Shorts—
We know theatre operation from experience
And we know that good Shorts help the entire show!
We know they definitely help sell tickets too!
And when other companies economized in quality—
M-G-M refused to compromise its established policy!
"If it's worth making, it's worth making right."
We have continually introduced new personalities, new ideas—
With the most consistent short promotion in the industry.
The result is that M-G-M is famous for its Shorts
That's why M-G-M today can say sincerely:
"Let Short Subjects stand on their own merit!"

## PROMOTE!

***(Samples shown at right)***

Exhibitors now realize that the time-worn stock-phrase "Also Selected Shorts" no longer suffices in presenting the broad range of M-G-M Shorts from the quirks of history to the quips of Benchley. Presaging a New Deal for Shorts, showmen, aroused to their merchandising possibilities and box office potentialities, staged for M-G-M's nation-wide Shorts exploitation contest a mass demonstration of showmanship unequalled in Short Subject history.


TO ALL NORFOLK
The GREAT HEART
FATHER Joseph Damien de Veuster
WHO SUFFERED A FATE WORSE THAN DEATH IN ORDER TO BRING GODS COMFORT TO THE LEPERS
Write a 'What Do You Think?'
and you may be the guest of the Palace Theatre
CAREY WILSON'S
"Miracle of Salt La
(A "WHAT DO YOU THINK?")
For Example
PLOT
And Don't
Friday, Feb. 17th is "What
READ YOUR DAILY SUN AND TUNE IN
See This Unusual Short on
WIN CASH PRIZES
MEN of STEEL
World
WAR!!

SHORT

METRO-GOLDWYN-MAYER
SHORT STORY

RE YOU GETTING THIS
AGAZINE REGULARLY?

he importance of M-G-M Shorts is
eflected in the big monthly magazine
he only one of its kind) which goes
11,000 exhibitors and to thou-
nds of magazines and newspapers.

**1939-40**
**M-G-M SHORTS**

73 ONE REEL SUBJECTS
6 TWO REEL SUBJECTS
04 ISSUES NEWS OF THE DAY

# THE BEST!

### CRIME DOES NOT PAY (6) *(Two Reels Each)*

Racket exposes, cramming dramatic thunderbolts of entertainment into two thrill-packed reels. Greatest publicity "naturals" in short subject history.

### PETE SMITH SPECIALTIES (13)

A name that goes up on the marquees and into the ads everywhere. Personality plus sure-fire showmanship. Promotion angles that capture reams of newspaper space. Audiences love them!

### THE PASSING PARADE (8)

In his first *short* year John Nesbitt's tributes to history's great have become tops in screen tidbits. Watch him build even greater next season!

### ROBERT BENCHLEY (4)

A nationally known literary, screen and radio name that sells tickets. The demi tasse to perfect screen fare are Benchley's inimitable characterizations of the average man wrestling with everyday problems.

### M-G-M MINIATURES (9)

Featuring the astounding Carey Wilson investigations into fascinating, unexplored fields. This series won the Academy Award for last year's "That Mothers Might Live."

### OUR GANG COMEDIES (8)

18 years old and Our Gang's still going strong. A national institution for which the public (old and young) is still happily receptive. Introducing new ideas for the new series.

### FITZPATRICK TECHNICOLOR TRAVELTALKS (12)

An established and popular series eagerly received by audiences everywhere. Their Technicolor beauty and intelligent presentation set them apart among travel subjects.

### M-G-M TECHNICOLOR CARTOONS (18)

Hugh Harman and Rudolph Ising who are rated at the very top in the cartoon field are developing fresh viewpoints, delightful story ideas and newly discovered technical improvements for their de luxe Technicolor series. Watch!

### NEWS OF THE DAY (104)

A progressive, alert newsreel with unmatchable world-wide coverage presented by crisp authoritative specialists. Featuring the nationally known radio commentator John B. Kennedy, the sports authority of the airwaves Bill Stern and the famed feminine stylist Adelaide Hawley.

### METROSCOPIX (1)

By popular demand a new Metroscopix! This greatest of all novelties among short subjects, which has convulsed shrieking audiences by its third-dimensional tricks, will be presented in brand new and even more exciting form.

BOB BENCHLEY in "HOW TO SUB
HAT DO YOU Think?
THE MIRACLE of SALT LAKE
EY WILSON
WOULD YOU LIKE TO SEE "EGYPT"
BE SURE TO ENJOY THE M-G-M TRAVELTALK
LOEW'S STATE
ONE HOUR FOR LUNCH 12:30-1:30
ROBERT BENCHLEY'S "Hour For Lunch"
MAJESTIC
These B.V.D. BATHING SUITS ARE BEING USED IN PETE SMITH'S 'MODELING for MONEY'
HOW TO SUB LET
Robert Benchley
Let the Want Ads Show You
"HOW TO SUBLET"
And how to solve your other rental problems!
Rented Apartment
Rented House
Phone
SPOKES
WA
BOX-OFFICE

# AND TO THE POINT!

ECHNICOLOR CARTOON
CAREY WILSON
FITZPATRICK TRAVELTALKS
OUR GANG
METRO-SCOPIX
JOHN NESBITT
NEWS OF THE DAY
CRIME DOESN'T PAY
PETE SMITH
ROB BEN

# THE LINE-UP FOR 1939-40!

*—Leo, Jr. Your Friendly Short Subject*

# Exhibitors Get Code's Terms Of Arbitration

(*Continued from page* 1)

pends upon the maximum of exhibi- or participation.

[illegible]s was the case with the trade prac- [illegible] provisions, which were completed ate in March, the distributors' nego- iating committee forwarded copies of the arbitration provisions to the Department of Justice in accordance with assurances of counsel that the Department would be kept informed of developments in connection with the ndustry conferences.

### U. S. Acceptance Sought

Whether the companies will proceed with the program, in whole or n part, lacking some expression from he Department on its acceptability, emains a matter for company attorneys to decide.

Under the proposed provisions for arbitration, local organized exhibitor groups will have a position equal to hat of distributors and affiliated exhibitors together. In each of the 31 exchange centers panels of five to 10 neutral arbitrators will be appointed by unanimous action of distributors and affiliated exhibitors and organized exhibitor groups. Neutral arbitrators will be paid for their services, but will not be associated with either distributor or exhibitor interests.

### Arbitration Boards

Permanent arbitration boards will be selected from panels of 20 arbitrators, 10 to be appointed by distribu- ors and affiliated exhibitors and 10 by organized exhibitor groups in each exchange center.

The board will consist of one arbi- rator from the neutral panel and two from the panel of 20.

Of the latter two, one will be from he group named by distributors and affiliated exhibitors and the other from he group named by the local organ- zed exhibitor groups. The latter two designate the neutral member who will become the third member of the board and its chairman.

Members of the panels are appointed or six months' terms but will serve on the boards in rotation for a length of time to be determined by the members of such panels.

### Office for Each Board

Permanent boards will have secre- aries to be appointed by unanimous choice of the participating distributor, affiliated exhibitor and organized exhibitor groups. Each board will main- ain an office and hearing quarters.

In addition to the permanent boards, provision is made for special arbitra- ion boards which may be requested by any party to an arbitration matter. Panels of 20, appointed in the same manner as the permanent boards, will be provided for the special boards, with the difference that a party to arbitration desiring a hearing before a special board may be represented by an arbitrator who is not a member of any panel.

In two-party disputes each side may name an arbitrator, the two arbitrators o choose a third, who would be chairman. In disputes relating to clearance he two exhibitors involved each select an arbitrator, and the distributors involved select a third. The three designate two more, and one of the two is then elected chairman. The right to eliminate an arbitrator is established.

All disputes subject to arbitration under the trade practice code, with the exception of clearance and overbuying, are classified as two-party disputes. That is, exhibitor and distributor.

In the case of overbuying disputes, distributors who have signed the code and who sell product to the exhibitor complained against have all participating rights in the hearings except the right to appoint an arbitrator.

### Procedures Explained

Disputes relating to clearance are three-party actions: complaining exhibitor, responding exhibitor, and distributors who sell to the first and grant clearance to the second. Distributors' participating rights, however, do not include appointment of an arbitrator.

Arbitrators and witnesses serve under oath. Proceedings may be initiated merely by filing a claim setting forth the grievance and the identity of principals, together with a demand for arbitration and designation of an arbitrator.

Proceedings are filed with the secretary of the local boards. A filing fee of $5 is levied. Secretaries then proceed to notify all interested parties in a prescribed procedure and arrange for a hearing.

Oral hearings may be waived and written affidavits of complaining and responding parties substituted, as desired.

Local rules and regulations may be added to the arbitration provisions so long as they conform with the arbitration rules of the code. Deficiencies in costs of operating the boards, if any, are to be provided proportionately by the participating distributors, affiliated exhibitors, and organized exhibitor groups.

## *Rodgers' Letter of Transmittal*

*Following is the letter from W. F. Rodgers, chairman of the distributors' trade practice negotiating committee, accompanying text of draft of the rules of arbitration sent last night to exhibitor organizations and the Department of Justice:*

**"In my letter to you of March 30 enclosing a draft of the trade practice code, bearing the same date, I stated that we had not then completed a revision of the provisions with respect to arbitration machinery, and for that reason was enclosing the basis of arbitration theretofore submitted to you.**

**"Since that date, we received many suggestions on arbitration machinery from several sources. We have now succeeded in revising the provisions with respect to arbitration machinery and have prepared a draft in page proof of the proposed rules of arbitration.**

**"The trade practice code also has been somewhat revised to meet certain suggestions. Soon we will mail to you, as one document, the trade practice code and the rules of arbitration. I am sending to you herewith the draft of the rules of arbitration because of our desire to place it in your hands at the earliest possible moment.**

**"Following our previous course, we are sending a copy of this letter and enclosure to the Department of Justice, in accordance with assurances of counsel that the Department would be kept informed of the results of our industry conferences."**

## *John F. Miller Dies*

Culver City, Cal., May 25.—John F. Miller, 67, former newspaper man and pioneer film producer, died yesterday.

### Raymond Freil Passes

Yonkers, N. Y., May 25.—Raymond A. Freil, 45, cartoonist, scenario writer and former film director, died here yesterday.

## Kuykendall Gives Views to KMTA

Kansas City, May 25.—Ed Kuykendall, M. P. T. O. A. president, addressing the Kansas-Missouri Theatre Association convention, which opened here today, reiterated his opposition to "divorcement," and the Neely bill and said the Government anti-trust suits are unsatisfactory answers to independents' complaints.

George Weeks of Monogram reported complaints about the film business are mounting, and said "only fear will kill us."

Weeks said: "Television, which is all dressed up, but has no place to go, may mean an exhibition boom."

Officers will be elected tomorrow. H. M. Richey of RKO, who flies in tomorrow from New York, will speak.

## *U. S. Will Be 'Fair,' Promises Murphy*

(*Continued from page* 1)

possibility of future suits against the industry.

The Attorney General said he is here for " a general probe of labor racketeering in the construction industry, which has raised costs artificially."

He said: "If we find anything which conflicts with the Federal laws, we shall act whether it pertains to the motion picture industry or not. But I will say that certain acts within the motion picture industry are definitely under question."

## *$70,000 'Heights' Rental*

Film rental on Samuel Goldwyn's "Wuthering Heights" for its seven weeks at the Rivoli will amount to more than $70,000, the theatre reported yesterday. Beginning of the seventh week of the picture's run was celebrated at the theatre at a cocktail party with Laurence Olivier as host.

Among those attending were John Barclay, Bob Gillham, Lynn Farnol, Arthur W. Kelly, Jack Alicoate, Al Margolies, Monroe Greenthal, Alec Moss, James Mulvey, Danton Walker, John Chapman, Frank Lynch, Wanda Hale, Bland Johaneson, Irene Thirer, Radie Harris, Bill Boehnel, Eileen Creelman, Archer Winsten and Ben Crisler.

# Rodgers Asks Allied to Adopt Industry Code

(*Continued from page* 1)

right for the greatest number of independent exhibitors."

Rodgers, after the meeting, said that the arbitration rules drafted, will be subject to revision on the basis of exhibitors' suggestions. Several points in the code itself are being reconciled with exhibitor suggestions. When all revisions have been made, the trade practice and arbitration provisions will be presented to the industry as a single document, and, said Rodgers, "it will be final."

"One thing is certain," he said, "we do not intend to make any further concessions."

The M-G-M sales chief, who has had a large part in the negotiations, was the principal speaker at the "open forum" session, which was the best attended of the three-day convention. Rodgers answered numerous questions from exhibitors relating to the code and other matters.

Among other distribution representatives at the session were Gradwell L. Sears, Warners' general sales manager; William Sussman, Harry H. Buxbaum and Joe Lee of 20th Century-Fox; Moe Streimer, Paramount, and Tom Connors and Edward Aaron of M-G-M.

The meeting attracted a large number of New York City and New Jersey exhibitors. Col. H. A. Cole, national Allied president, was an "observer."

Final event of the convention was the banquet, attended by about 400. Cohen was toastmaster. Speakers were Maurice Silverstone, Sears, Rodgers, Sussman, W. Ray Johnston, Edward Golden, Colonel Cole, Harry Gold, Mitchell Conery and others. E. Thornton Kelly, executive secretary, was presented a car, and Cohen a set of pictures.

## *Code Highlights*

**Arbitration boards to be established in 31 exchange centers.**

**Panels of five to 10 neutral arbitrators to be selected by distributors, affiliated exhibitors and organized exhibitor groups.**

**Remainder of panels to be appointed 10 each by distributors and affiliated exhibitors, on the one hand, and organized exhibitor groups on the other.**

**Permanent arbitration boards of three members to be designated from the panels, one from the neutral panel and one each from the panel designated by distributors and affiliated exhibitors, and the panel designated by organized exhibitors.**

**Special arbitration boards may be designated from a panel of 20 selected, half by distributors and affiliated exhibitors, and half by organized exhibitors, or from outside the panel.**

# *Reviewing the Latest in Short Subjects*

### *"The March of Freedom"*

*(Universal)*

Proponents of single features augmented by shorts undoubtedly have in mind product such as Universal's addition to the Americanism cycle. The picture highlights the hardships suffered by Americans from the struggle for independence to the present battle against the "isms" which have developed throughout the world. The "American Way" is compared with the methods of dictators. Extreme timeliness adds to the selling possibilities. Graham McNamee narrated. Running time, 21 mins. "G."*

### *'Barnyard Egg-Citement'*

*(20th Century-Fox)*

Many excellent color shots are contained in this Terrytoon. The barnyard community becomes excited at the birth of a chick and helps Papa Rooster celebrate. The festivities are interrupted when a hawk kidnaps the chick. However, he is rescued by a flying squadron. It will provoke a numbers of chuckles. Running time, 7 mins. "G."*

### *"Dog-Gone"*

*(RKO)*

This is the familiar comedy plot where a husband misunderstands a conversation about the family dog and thinks he is about to die. After being examined by the family physician and found healthy, James Finlayson overhears a prescription for the dog. The complications follow when he starts on a diet of raw meat and grass. Slow moving. Running time, 16 mins. "G."*

### *"Believe It or Else"*

*(Schlesinger-Warners)*

This Merrie Melody in color is a satire on the famous oddities series. It is enlivened by a heckler who refuses to believe what he sees. It should draw a number of laughs from the audience. Running time, 7 mins. "G."*

### *"Voodoo Fires"*

*(Warners)*

Floyd Gibbons adds another exciting chapter in his "Your True Adventure" series. As usual, the actual hero of the tale appears in the film to receive his check. This story deals with a lone white man at a sugar plantation who decides to discover the secrets of voodooism and barely escapes with his life. Will hold audience interest. Running time, 12 mins. "G."*

### *"Small Fry"*

*(Fleischer-Paramount)*

Using the popular tune, "Small Fry," for its background, this color cartoon tells of a small fish who tries to become a "big fry." The results are amusing, particularly when the older fish start an initiation. Some splendid color shots are obtained when the small fish swims out to meet the monsters of the deep. Running time 7 mins. "G."*

### *"March of Time, No. 10"*

*(RKO)*

"Dixie" is the title of the latest "March of Time" reel and it deals with the economic condition of the deep south. Considerable pains have been taken to make this survey an impartial and inoffensive presentation. As a result, the reel lacks the vigor characteristic of its more controversial subjects.

After showing the natural resources and industrial potentialities of the south, a description of conditions in the schools, housing and the plight of the sharecroppers follow. The subject ends with the efforts of Negroes and whites to better conditions with proper schooling and a scientific approach to agriculture. Running time, 20 mins. "G."*

### *"Golf vs. Archery"*

*(J. H. Hoffberg)*

As the title suggests, the short is centered about a unique sporting venture in which each competitor is to complete his task in as few shots as possible, the golfer sinking the ball, the archer hitting the target. Both sports are explained and illustrated in an informative narration. Running time, 9 mins. "G."*

### *"Donald's Country Cousin"*

*(Disney-RKO)*

Donald Duck prepares an elaborate "spread" for Gus Goose, his country cousin, but in virtually nothing flat the meal minded Gus consumes the food. Donald finally rids himself of the pest. This is up to the standard of previous Donald Duck shorts. Running time, 7 mins. "G."*

### *'Dean of the Pasteboards'*

*(Warners)*

Luis Zingone, the card expert, again undertakes a demonstration of the sharper's methods. Zingone is invited to speak to college students who have been fleeced at a gambling house and, after the demonstration, exacts a promise from the students not to patronize the place. Cleverly done, this reel will amaze and entertain all card players. Running time, 10 mins. "G."*

### *"Swing Sanitarium"*

*(Universal)*

"Dr." Collins, of Stone & Collins, discovers that swing music will cure a number of ills. Roscoe Ates is his patient. Other acts are The Three Marshalls, Kathleen May, The Robbins Bros., Margie and the Melva Sisters. A Mentone Brevity. Running time, 18 mins. "G."*

### *"Donald's Penguin"*

*(Disney-RKO)*

A penguin which he receives from Admiral Byrd brings Donald Duck trouble and the audience amusement. Upon his arrival, the penguin sees a few goldfish in a bowl and tries to devour them. Donald objects and the fun begins. Running time, 7 mins. "G."*

### *"Charlie Cuckoo"*

*(Universal)*

The little bird who resides in a cuckoo clock decides that his work day is too long and quits his job to take advantage of the Wage and Hour law. After a series of misadventures, he rushes back and is happy to find that his job is still waiting for him. A Walter Lantz Cartune. Running time, 7 mins. "G."*

### *"The Hockey Champ"*

*(Disney-RKO)*

Donald Duck gracefully mimics Sonja Henie on the ice but is interrupted by his three nephews playing hockey. Donald's boasting leads to a game and then the excitement starts in true Donald Duck fashion. Should provoke many chuckles. Running time, 7 mins. "G."*

### *"Smooth Approach"*

*(RKO)*

This Sportscope is designed to catch the seasonal interest in golf. Four experts, Horton Smith, Jimmy Thompson, Ed Dudley and Dick Metz illustrate the proper methods for the chip shot and putting. Golf fans will like it. Running time, 9 mins. "G."*

### *"Quiet Please"*

*(Warners)*

Here is a hilarious bit of backstage slapstick comedy in color that should prove popular. Hollywood methods are burlesqued as a temperamental star, a nervous director and a gorilla become involved in the production of a picture. Crane Wilbur directed. Running time, 20 mins. "G."*

### *"Beach Picnic"*

*(Disney-RKO)*

A beach picnic is not enjoyed by Pluto and Donald Duck as much as they had expected, because of a fracas with a rubber horse in the water and an ant invasion. The disturbance created by the ants is extremely funny. Running time, 8 mins. "G."*

### *"Theatre of the Sky"*

*(Universal)*

A tour of the Adler Planetarium in Chicago is of diversified interest. Various instruments used through the ages as time pieces and odd astronomy devices are filmed. Educational. Suggests school tieups. Running time, 9½ mins. "G."

### *"Clown Princes"*

*(M-G-M)*

Our Gang undertakes to save Porky's home by raising the rent money. They run a circus with side show, acrobats and all. Running time, 10 mins. "G."

### *"Swans"*

*(Paramount)*

The life of a swan is filmed. Following a "courtship," the female hatches the eggs while the male keeps constant guard. The young learn to swim and fly, the reel ending with the birds migrating to the south. Running time, 10 mins. "G."

### *"Oregon Trail"*

*(Universal)*

In the first three episodes of this 15 chapter serial, John Mack Brown an Fuzzy Knight are secretly hired by th Government to expose an unlawful fu trading syndicate which is preventi pioneers from reaching Oregon. T two join a covered wagon train bou for the fur regions. The outlaws ar range Indian attacks and a prairie fir to impede the progress of the travelers. Crowded with action, the seria should meet with approval by an weekend matinee audience. Runnin time, each episode, 21 mins. "G."

### *"The Pointer"*

*(Disney-RKO)*

Mickey Mouse and Pluto anticipat a delicious supper as they set out t hunt quail, but are disappointed whe a bear turns up. The short will b appreciated, especially by the youngsters. Running time, 8 mins. "G."

### *"With Best Dishes"*

*(Universal)*

A variety revue with Charles Kemper and Billy Rayes heading the cast i average musical fare. Entertainer are George Roche, dancer; Toy an Wing, Chinese dancers; Lillian Rot singer; Pied Pipers, singers, and th Philharmonicas. Kemper and Raye "carry" the short. Running time, 16 mins. "G."

### *"Gals and Gallons"*

*(Universal)*

"Sisters of the Skillet," gas statio proprietors, acquire Rita Rio and he revue to promote sales. Rita sing as does Jan Peerce; Deneet and Da dance and a novelty act with Pans the horse complete the revue. Exhibitors should have good results wit this short. Running time, 16½ min "G."

### *"Art Gallery"*

*(Harmon-M-G-M)*

This color cartoon is set in an a gallery after dark when the figur come to life. Nero decides to set fi to a painting of Rome, but encounte some difficulty in finding matches. T fire is finally started and sweeps t gallery until dawn breaks. There a a number of amusing scenes when t fire reaches different masterpiece Running time, 8 mins. "G."*

### *"Glimpses of Australia"*

*(M-G-M)*

Glimpses of Australian beaches, t Sydney gardens and Melbour are in this FitzPatrick Traveltal Done in color, the shots of the lif guard games are particularly impre sive. Better than average. Runni time, 9 mins. "G."*

### *"Java Journey"*

*(M-G-M)*

A FitzPatrick Traveltalk in col which shows the waterfront and cana of Java. Running time, 9 mins. "G."

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**"G" denotes general classificatio*

# U.S. Charges 55 Coercions To 4 Majors

(Continued from page 1)

amount: Joe and John Johnson of Jasper, Ala., sold the Colonial and New Jasper Theatres; R. V. McGin-[illegible] of Russelville, Ark., sold the New Theatre; Andy McNeil and Dwight H. Blackwood of Little Rock, Ark., sold the Arkansas Theatres; Harry Bott of Lakeland, Florida, forced to close the Lakewood; L. D. Joel of Lakeland sold the Auditorium Theatre; N. V. Darley of Tampa, Fla., owning the Rivoli Theatre, threatened.

Claude D. Swint of Atlanta, Ga., forced to cease construction of the Gordon; Mary Cinciolo of Gainesville, Ga., sold the Alamo Theatre; Greater Chicago Theatres Corp., of Oak Park, Ill., deprived of product for the Lake Theatre; Verner U. Young of Gary, Ind., owning a large number of theatres, threatened.

### Leases and Sales Charged

Theatrical Managers, Inc., of South Bend, Ind., owning the State Theatre, threatened; Gail L. Pettit or Algona, Ia., sold the State; Nathan and Abe Sadoff of Sioux City, Ia., forced to lease the Granada; Willard B. Harwood of Gardiner, Me., sold the Strand; William N. Youngclass of Columbus, Neb., sold the Swan; Frank D. Eager of Lincoln, Neb., leased the Liberty and Orpheum.

Edward Quittner of Middletown, N. Y., owning the State and Stratton Theatres, threatened with harsh selling terms; Theatrical Managers, Inc., of Marion, O., owner of the Palace and Marion, threatened; L. D. Joel of Grenneville, S. C., sold the Garing; Carl P. Knudsen of Watertown, S. D., sold the State; Robert Z. Glass of Beaumont, Texas, sold the Rio Theatre and the Knox, Fair and Log Theatres of Dallas, Texas; Paul Scott of Dallas sold the Varsity.

H. E. Fulgham of Tyler, Texas, owner of Joy Theatre, threatened; Theo Palamanakos of Greenville, Texas, sold the Opera House, W. H. Powers of Henderson, Texas, sold theatre; Inca Theatres, Inc., sold eight theatres in Texas; Ross Dorbandt of Jacksonville, Texas, sold the Dorbandt and Claire; M. G. Fry of Tyler, Texas, sold lease to the Majestic.

### Threats in Chicago

Sam Myers, Chicago, owner of Cine, threatened; Harry Solomon of Chicago, owner of Belmont, threatened; Gust Constan of Decatur, Ill., owner of Avon, threatened; Verner U. Young of Anderson, Ind., sold his theatre; Kalil Sliman of New Iberia, La., owner of the Evangeline, threatened; Irving Gillman of North Mankato, Minn., closed the Urban.

H. A. Cole and A. W. Milly of Greenville, Texas, owners of the Rialto and Colonial, threatened by competition; C. L. Hackworth of Huntsville, Fla., owner of three theatres, threatened; L. D. Joel of Jacksonville, Fla., sold the Casino and Liberty; Joseph C. Boss of McAllister, Okla., owner of Photosho, subjected to harsh practices; H. H. Jackson of Columbia, Tenn., sold the Grand; F. R. Newman of Greenville, Texas, sold the Crystal; H. S. Cole of Ranger, Texas, sold the Lone Star and Lamb Theatres; and E. H. Hulsey of Texas sold 11 theatres.

### Fox "Coercions" Alleged

Exhibitors listed as being allegedly subjected to coercion by 20th Century-Fox follow: Compton Theatre Corp. of Compton, Calif., sold the Compton; H. L. Gumbiner of Los Angeles leased the Power; Maurice Feigenbaum of Pomona, Calif., sold the Sunkist; Brookside Theatre Corp. of Kansas City sold the Brookside; B. K. Fischer of Milwaukee, Wis., leased four theatres; and Charles Washicheck of Milwaukee sold three theatres.

RKO was charged with coercion against the following: C. C. Dunsmoor of Marshalltown, Ia., leased the Capitol; Century Circuit of N. Y. surrendered the Kingsway of N. Y. and the Merrick of Long Island.

Finally, Warner Bros. allegedly subjected the following to "distress selling" methods: Wm. E. S. Wilcox of Silver Spring Md., sold the Seco and Silver Theatres; William Filcock of Lake Geneva, Wis., owner of the Geneva and Delavan, subjected to harsh selling practices, and the Capitol Theatre Co. of Wheeling, W. Va., also subjected to harsh practices.

# *Hollywood Preview*

## *"6,000 Enemies"*

*(M-G-M)*

Hollywood, May 25.—Although several novel twists are developed, "6,000 Enemies" follows an entertainment road well rutted by many previous prison melodramas. Action and excitement, bound by a wavering thread of suspense, are the chief ingredients; romance and grim humor the substantiating factors. The featured highlights are a smashing ring battle and the hero's act of frustrating a jail break and saving the prison doctor's life by breaking a pipe and releasing clouds of steam.

Walter Pidgeon and Rita Johnson are the leading players and Nat Pendleton, Harold Huber, Paul Kelly, Grant Mitchell, John Arledge, Raymond Hatton and Willie Fung the most active supporting players. Based on a realistic original story prepared by Wilman Menard and Leo Stanley, the screenplay by Bertram Milhauser and George B. Seitz' directing technique concentrate on emphasizing the grim prison atmosphere.

Prosecutor Pidgeon, who has stopped at nothing to send many, including Miss Johnson, to jail, is framed by racketeer Huber and sent to the penitentiary, where 6,000 inmates consider him their natural enemy. Although Warden Mitchell and Doctor Kelly want to isolate him for safety's sake, Pidgeon proves his courage by associating with other prisoners and beating Pendleton in a wild brawl. Learning from Miss Johnson that Huber had framed both of them, Pidgeon, whose brother, Arledge, is killed while attempting to bring exonerating evidence, plans escape. But, as other convicts go berserk and menace Kelly's life, Pidgeon prevents a general break. His innocence established, as well as that of the girl, while Huber gets a death sentence, Pidgeon visions romance with Miss Johnson as he starts again on a climb to the district attorney's post.

Running time, 60 minutes. "G."* G. McC.

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**"G" denotes general classification.*

## *50% for Eleanor Powell*

Chicago, May 25.—Getting a split of 50 per cent, starting from the first dollar, Eleanor Powell, who will play a week at the Palace, starting tomorrow ranks among the top billings at the theatre. Eddie Cantor and Mae West have been the only stage and screen stars to obtain the same terms from the RKO house.

## *Government B. & K. Suit Off to June 22*

Chicago, May 25.—Government anti-trust suit against Balaban & Katz and the major companies was continued today until June 22. The delay is to permit the Government time to examine several thousand documents offered in evidence by the defendants.

The Government expects to complete its examination in two weeks and allow the defense two weeks to study the prepared tabulations. Master-in-Chancery Edgar Eldredge will decide in a few days on admittance as evidence the figures showing rentals paid to major companies by B. & K. during the past 10 years.

## *Select Contest Judges*

Judges for Columbia's $4,000 prize contest for the best campaigns on "Only Angels Have Wings" were selected yesterday. They are Jack Alicoate, Red Kann, Chick Lewis, Martin Quigley and Terry Ramsaye. Contest opened yesterday and continues for six months.

## *Seattle Golf Tourney*

Seattle, May 25.—Northwest Film Club's third annual golf tournament will be held the latter part of June at a course soon to be selected. Committee on arrangements includes: William Shartin, Roy Peacock, Jack Rosenberg, Mrs. John Hamrick, Mrs. Ben Shearer and Mrs. Guy Navarre.

## *Morros Gets Partner*

Hollywood, May 25.—Nat Wachsberger, French publisher and producer, who arrived here last week, today became the partner of Boris Morros. He will be associate producer on Morros' first film after the Laurel and Hardy picture now in work.

# 'Pacific' Is Capital Lead With $21,500

Washington, May 25. — "Union Pacific" was the only film to do big business, $21,500 at Warners' Earle. "Dark Victory," in a return engagement at the Metropolitan, took $6,300.

Estimated takings for the week ending May 18:

**"Hound of the Baskervilles" (20th-Fox)**
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Kitty Carlisle. Gross: $14,000. (Average, $16,500)

**"Wuthering Heights" (U. A.)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days, 2nd run. Gross: $4,200. (Average, $4,500)

**"The Story of Alexander Graham Bell" (20th-Fox)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $10,500. (Average, $12,000)

**"The Story of Vernon and Irene Castle" (RKO)**
RKO KEITH'S—(1,836) (25c-55c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)

**"Union Pacific" (Para.)**
WARNER'S EARLE—(2,218) (25c-66c) 7 days. Stage: Variety week. Gross: $21,500. (Average, $16,000)

**"Dark Victory" (W. B.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 7 days. Gross: $6,300. (Average, $4,000)

## *'Pacific' Leader in New Haven, $7,600*

New Haven, May 25.—"Union Pacific" and "Bulldog Drummond" took $7,600 at the Paramount. At the Roger Sherman, "Dark Victory" and "Sweepstakes Winner" grossed $7,400.

Estimated takings for the week ending May 19:

**"Boy Slaves" (RKO)**
**"The Flying Irishman" (RKO)**
**"Blind Alley" (Col.)**
**"Winner Take All" (20th-Fox)**
COLLEGE—(1,499) (25c-35c) (split week—2 and 5 days each dual). Gross: $1,300. (Average, $2,700)

**"Rose of Washington Square" (20th-Fox)**
**"Mr. Moto on Danger Island" (20th-Fox)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $8,500. (Average, $8,000)

**"Union Pacific" (Para.)**
**"Bulldog Drummond's Secret Police" (Para.)**
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $7,600. (Average, $4,000)

**"Dark Victory" (W. B.)**
**"Sweepstakes Winner" (W. B.)**
ROGER SHERMAN—(2,200) (35c-50c) 7½ days. Gross: $7,400. (Average, $4,700)

## *Hollingshead Heads Shorts for Warner*

Hollywood, May 25.—Gordon Hollingshead today was appointed head of Warners' short subjects production department which will operate under the supervision of Bryan Foy, who will continue to produce features. Seventy-eight subjects, ranging from one to four reels, will be made next season.

## *Hitler Reels Banned*

Warsaw, May 25.—The Polish Government today banned all newsreels showing pictures of Adolf Hitler and Benito Mussolini, following boos at local theatres.

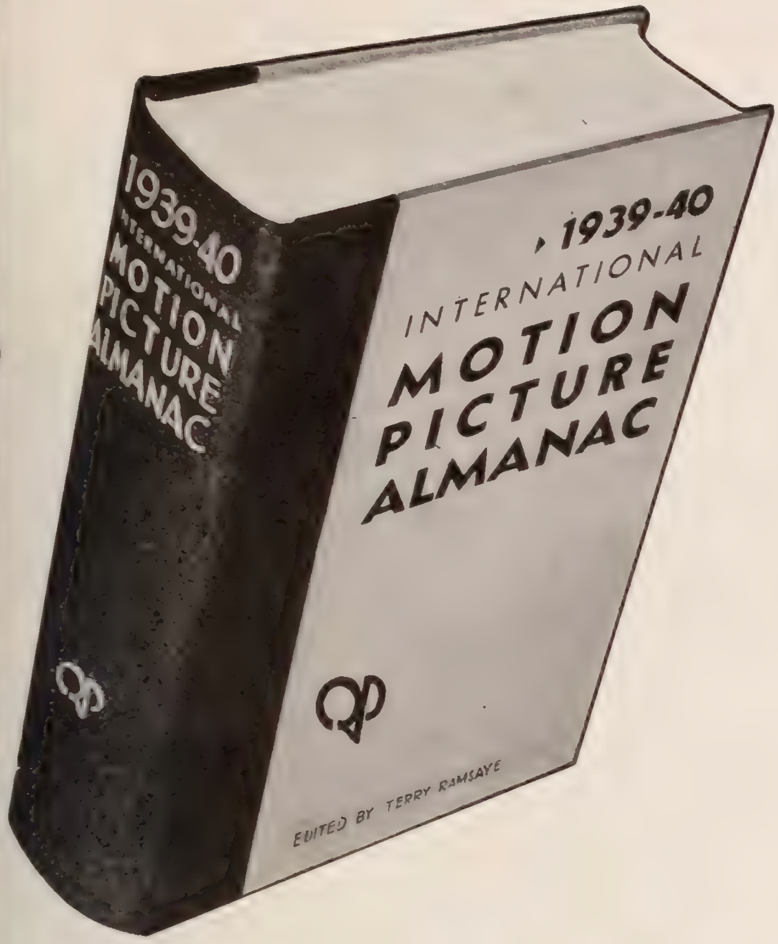
## *G.N. Bookings Set*

Sol Edwards, eastern sales manager of Grand National, has set 18 first run dates in the east on "Exile Express" and "Panama Patrol," prior to release.

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| April 21 | The Law Comes to Texas<br>*Bill Elliott* | The Hardys Ride High (G) (C)<br>*Rooney* | Wanted by Scotland Yard<br>*Stevenson*<br>Man from Texas | Back Door to Heaven (G) (D)<br>*Erwin*<br>*Wallace Ford*<br>*McMahon* | Frontier Pony Express (G) (O)<br>*Roy Rogers* | Fixer Dugan (G) (D)<br>*Lee Tracy*<br>*Peggy Shannon* | Winner Take All (G) (D)<br>*Tony Martin*<br>*Gloria Stuart*<br>Inspector Hornleigh | Zenobia (G) (C)<br>*Hardy*<br>*Langdon*<br>*Burke* | Big Town Czar (G) (D)<br>*MacLane*<br>*Ed Sullivan* | Dark Victory (G) (D)<br>*Bette Davis*<br>*George Brent*<br>*Bogart* |
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare (G) (D)<br>*Lionel Barrymore*<br>*Lew Ayres* | | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men (G) (D) | The Story of Vernon and Irene Castle (G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid (G) (D)<br>*Baxter*<br>Climbing High<br>*Matthews* | | For Love or Money (G) (D)<br>*June Lang*<br>*Robert Kent* | You Can't Get Away With Murder (G) (D)<br>*Bogart* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night (G) (C)<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific (G) (D)<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Blue Montana Skies (G) (O) | Sorority House (G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | | | Confessions of a Nazi Spy (G) (D)<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley (G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>(G) (D) | Man of Conquest (G) (D)<br>*Richard Dix*<br>Three Texas Steers (O) | Panama Lady (G) (D)<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>(G) (D) | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter* | Some Like It Hot (G) (C)<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Southward Ho<br>*Roy Rogers* | | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | Ex Champ<br>*McLaglen*<br>*Tom Brown*<br>(G) (D) | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | Missing Daughters<br>*Arlen*<br>*Marian Marsh* | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly* | | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | The Zero Hour<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | Racketeers of the Range (O)<br>*O'Brien* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Code of the Secret Service<br>*Reagan*<br>*Towne* |
| June 2 | Trapped in the Sky (G) (D)<br>*DeMille*<br>*Jack Holt*<br>*Ralph Morgan* | | Across the Plains<br>*Jack Randall* | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | S.O.S. Tidal Wave<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | The Girl From Mexico<br>*Lupe Velez*<br>*Donald Woods*<br>(G) (C) | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | The Man Who Dared<br>*Grapewin*<br>*Jane Bryan* |
| June 9 | Arizona Cowboy (O)<br>*Starrett*<br>*Meredith* | 6000 Enemies<br>*Walter Pidgeon*<br>*Rita Johnson* | Girl From Nowhere<br>*Anne Nagel*<br>*Warren Hull* | Undercover Doctor<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | Mountain Rhythm (O)<br>*Gene Autry* | Saint in London<br>*George Sanders*<br>*Sally Gray* | Young Mr. Lincoln<br>*Fonda*<br>*Alice Brady*<br>*Marjorie Weaver* | | The Sun Never Sets<br>*Rathbone*<br>*Fairbanks, Jr.* | Juarez<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>(G) (D) |
| June 16 | "Q" Planes<br>*Olivier*<br>*Valerie Hobson*<br>The Awful Truth (reissue) | Tarzan Finds a Son<br>*Weissmuller*<br>*O'Sullivan* | | Invitation to Happiness<br>*Dunne*<br>*MacMurray*<br>(G) (D) | | The Girl and the Gambler<br>*Steffi Duna*<br>*Carrillo* | Charlie Chan in Reno<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | | | Nancy Drew Trouble Shooter<br>*Bonita Granville*<br>*Frank Thomas, Jr.* |
| June 23 | Parents on Trial<br>*Jean Parker*<br>*Johnny Downs* | Maisie<br>*Ann Sothern*<br>*Robert Young* | | Grand Jury Secrets<br>*John Howard*<br>*Gail Patrick* | | Five Came Back<br>*Chester Morris*<br>*Lucille Ball* | The Girl from Brooklyn<br>*Alice Faye*<br>*Baxter*<br>*Winninger* | | | The Kid from Kokomo<br>*O'Brien*<br>*Wayne Morris*<br>(G) (C) |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## MOTION PICTURE ALMANAC

ROCKEFELLER CENTER, NEW YORK

# Oppose BBC Television Use Of U.S. Shorts

Views of American distributors who were favorably disposed towards the request of British Broadcasting Co. for a supply of short subjects for television use have undergone a change as result of the opposition of E. T. Carr, United Artists joint managing director in England.

Carr, visiting in New York, was consulted on the B.B.C. request early this week. He expressed unqualified disapproval of the American companies' intention of aiding television in the manner proposed by Gerald Cock of B.B.C. during the latter's recent visit.

"I am opposed to giving any aid to television which would make it a stronger competitor for London theatres than it is already," Carr said. "If any films are made available for television they should be only those that are so old that everyone must have seen them already."

A member of the M.P.P.D.A. television committee, which consulted Carr, said that the United Artists' official's. views will carry "great weight" with the committee.

Carr denied knowledge of arrangements by which old Walt Disney subjects were reported to have been made available to B.B.C. by United Artists in London. It was this report more than anything else which led the American distributors to regard the British request for shorts favorably.

## *Product Talks Bring Para. Partners Here*

Paramount theatre operating partners from several sections of the country converged on New York yesterday for home office and product conferences in advance of the company's annual sales convention.

Among those here to confer with Barney Balaban, Paramount president, are J. J. Friedl and L. J. Ludwig of Minnesota Amusement Co., Minneapolis; Vincent McFaul of Buffalo; A. H. Blank and Ralph Branton of Tri-States Theatres, Des Moines; Martin Mullin and Sam Pinanski of M. & P. Theatres, Boston, and Hunter Perry of Richmond.

## *ALA Delays Action On SWG Affiliation*

Authors' League of America will take no action on the proposal of the Screen Writers' Guild to affiliate with one of the national labor organizations until an official request from S.W.G. is received, it was learned here yesterday.

## *Equity Election Today*

Annual meeting of Actors' Equity will be held at the Hotel Astor at 2:30 this afternoon. Elections scheduled are for a vice-president and several members of the council. There are no contests.

## *Otterson Signs Again*

HOLLYWOOD, May 25.—Jack Otterson, art director at Universal studio for the past three years, has signed a new one-year pact.

# *Predicts Lifting of Fight Picture Ban After Hearing*

WASHINGTON, May 25.—Enactment of his bill repealing the 27-year ban on the interstate transportation of fight films was forecast today by Senator Barbour of New Jersey, following hearings before a Senate Interstate Commerce subcommittee.

Former heavyweight champion Jack Dempsey and other luminaries of the world of sport urged that boxing pictures be legalized.

Pointing out that no objection has even been raised to the broadcasting of boxing bouts, Neville Miller, president of the N.A.B., told the subcommittee that undoubtedly fights will be telecast and the situation should be clarified before that point is reached in television.

### "Never Seriously Enforced"

Testifying that the law has never been seriously enforced, Dempsey declared that boxing is legal in every state and fight pictures are highly popular wherever shown. Interest in the ring has grown to a point where the pictures should be legalized, to prevent the "bootlegging" which now exists, he said.

"Continuance of the ban accomplishes no useful purpose and, except for the showing here and there of bootlegged films, millions of people are deprived of the right to enjoy a legitimate form of entertainment," Senator Barbour said, in urging adoption of the bill.

## *Promise Adjustment In British Film Tax*

**London, May 25.—Captain Crookshank, Financial Secretary of the Treasury, declared tonight that Sir John Simon, Chancellor of the Exchequer, was satisfied certain adjustments were necessary in the new film duties included in the British budget.**

**In Commons tonight it was declared that excise and import duties on newsreels should be abolished in the interests of education. Indications were that concessions would be made to the industry.**

## *Grainger Addresses Empire Convention*

TORONTO, May 25.—James R. Grainger, Republic president, outlined the new season's product at the opening session here today of the three-day sales convention of Empire-Universal Films, Ltd., at the Royal York Hotel. A dinner to Grainger was given tonight by President N. L. Nathanson of Famous Players Canadian; and O. R. Hanson, Paul Nathanson and A. W. Perry, executives of Empire-Universal.

The Toronto branch was announced as the winner of the Republic 17-week sales contest, with the St. John branch second and Winnipeg third.

## *Checking Studied By M-G-M Bookers*

Analysis of the problems of the checking organization and discussion of cooperation with the sales force featured the second day of the regional meeting at the Astor yesterday of M-G-M bookers, office managers and checking supervisors.

At today's final session, Alan F. Cummings, manager of exchange operations, will discuss duties of office managers. Delegates from six eastern exchanges, Canada and the home office visited the World's Fair last night, and will return to their home cities tonight.

## *Booking Bill Passed By Illinois House*

SPRINGFIELD, Ill., May 25.—Illinois House yesterday approved by a vote of 84 to eight the bill of Representative Harold Lund prohibiting blind selling and block booking of pictures.

The measure requires distributors to furnish synopses of all pictures over 2,000 feet in length at the time the deal for product is made, and if the finished film differs from the synopsis, the exhibitor would have the right to cancel.

## *Cleveland Rejects Daylight Savings*

CLEVELAND, May 25.—The city council today unanimously defeated proposed daylight saving legislation following strong opposition of film and union labor interests.

## *Study Air Reception In British Columbia*

VANCOUVER, B. C., May 25.—L. W. Brockington, chairman of the board of governors of Canadian Broadcasting Corp. is here with Donald Manson, board secretary, for a preliminary survey of the problem of radio reception in British Columbia.

Improvements to CBC stations throughout Canada, or additions, are under consideration. British Columbia is to have first consideration, $250,000 having been suggested as earmarked for improvements.

CBR here may be increased in power, or a new station may be established in the interior of the province. Decision will await a detailed report to be prepared by K. A. MacKinnon, head of the research and development department of CBC.

## *Industry Donations Swell Charity Fund*

Further contributions and pledges collected by the film division of the Greater New York Fund were reported yesterday at a meeting of group chairmen in the office of J. Robert Rubin, vice-president of Loew's, division-chairman.

Ben S. Moss, chairman of the exhibitors' group, reported cash and pledges of $9,000; Charles Casanave, chairman of the allied and accessory group, reported $3,500 and an additional $1,000 in prospect

Consolidated Amusement Enterprises, Inc., headed by Laurence S. Bolognino, contributed a firm gift of $725 to the Fund, not $100 as reported. Next meeting of the committee will be June 6.

# CBS May Get More Shows In Hollywoo

HOLLYWOOD, May 25.—William B Lewis, CBS vice-president in charg of programs, told newspapermen her today that "renewals of contracts b sponsors now presenting Holly shows indicate at least a similar number of programs featuring motion picture stars next fall."

CBS plans also include an increas in budget for sustaining program emanating from Hollywood, he said.

CBS currently presents 12 Hollywood programs a week, and it i probable that all 12 will be with CB in the fall, with a likelihood that ne contracts now under consideration ma swell the total.

The programs are: Amos 'n' Andy which will continue indefinitely; Jo E. Brown program, which, from present indications, will continue into an beyond the fall; Lum 'n' Abner, wh will vacation for the summer and return in the fall; Screen Actors Guil series, which will remain; "It Happened in Hollywood," an indefinit run; "Silver Theatre," which will vacation next week but is scheduled bac in the fall; the Lux "Radio Theatre," "Big Town" with Edward G. Robinson and Claire Trevor, and the Dic Powell-Martha Raye series, all o which will be absent for the summe but back in the fall; Jimmie Fidle broadcasts, slated to continue indefinitely; Texaco "Star Theatre," of for the summer but returning; an the RKO "Gateway to Hollywood," which will most likely continue indefinitely.

## *Await Test of Big Television Scree*

Demonstration of large screen television here by Baird television wil be delayed pending the arrival of new tube which was demonstrated i London during the running of th English Derby, Ian C. Javal, commercial director of Baird televisio said here yesterday. The new tub gave perfect definition of the runnin of the Derby on a screen larger tha any hitherto used, 20 x 15 feet, cabl advices to New York stated.

## *Radio Personals*

RUTH CARHARDT renewed b CBS for another year. . . . Maurice Barrett, production head a WHN, is completing a book. . . . Jam Crusinberry, network author, back t Chicago after a three-day business tri here. . . . Arthur Church, head o KMBC, Kansas City, in town on business. . . . Jim Moran, Washingto newspaper man, has been added to th Fred Waring press staff for the forthcoming Chesterfield series. . . . Ha Kemp winds up his engagement at th Waldorf June 1 and heads out on th road for a series of one night stand

●

David Sarnoff in an address yesterday at the World's Trade Dinner, discussed the progress of radi as the youngest of the world's implements of trade.

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# MOTION PICTURE DAILY

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. 45. NO. 103 NEW YORK, MONDAY, MAY 29, 1939 TEN CENTS

# IPTOA Head Asks for Fair Test of Code

## ules Can Be Corrected, Says Kuykendall

Ed Kuykendall, president of the .P.T.O.A., feels that the arbitration les proposed by the distributors late st week should be given a fair trial nd corrected if necessary."

In a statement given in Kansas City Saturday, Kuykendall, pointing out at "the proof of the pudding is in the ting," said: "Let us enter wholeartedly in the trade practice prosals and continue to demand those ings that are not provided for but e right."

### Early Vote Anticipated

Kuykendall indicated that an analy- of the rules would be given by e M.P.T.O.A. after he and other aders have studied them fully.

The M.P.T.O.A. has consistently vored conciliation over arbitration.

Exhibitor organizations received pies of the proposals over the weekd. An early vote by their directors d members is anticipated.

M.P.T.O.A.'s action will be deled by its board of directors, who ll be influenced by the sentiment of iliated regional units. A mail poll the directors will probably be taken.

### Kuykendall to Jacksonville

Kuykendall went from Kansas City Jacksonville to speak at the Southstern Theatre Owners Association nvention starting today. He will nvass opinion there as well as at the nventions of the Theatre Owners North and South Carolina, June 4, d the M.P.T.O. of Virginia, June 11.

Allied's attitude will not be known til its national convention in Minpolis when the directors are sched-d to vote on the code June 13.

It is known that many Allied mems favor putting the code into effect. is is the sentiment of New York lied leaders, who favor a fair test.

(Continued on page 2)

## British Censors Pass 'Nazi Spy'

**London, May 28.—Warners' "Confessions of a Nazi Spy," which had been held for action by the British Board of Censors pending the return from sick leave of Lord Tyrrell. president, was passed on Friday.**

## Movietone Ready For African 'War'

**Truman H. Talley, Movietone News chief, believes war will break out in North Africa, where Italy is seeking French possessions. He has set up headquarters at Tripoli, with Ettore Villani, Rome supervisor, training a staff.**

**Talley is now in Madrid, where he has reestablished Spanish headquarters, closed during the Civil War. Arthur De Titta, formerly Hays office and Movietone representative in Washington, has been assigned to Paris as assistant to Russell Muth, European director.**

# British Trade Irked By Stand on Taxes

London, May 28.—Indication in Commons by Captain Crookshank, Financial Secretary of the Treasury, that Sir John Simon, Chancellor of the Exchequer, would make adjustments in the new film taxes, was received with undisguised dissatisfaction by the trade.

An official statement from D. E. Griffiths, K.R.S. president, and head of the industry protest committee, is expected in a few days.

Newsreel and sub-standard interests are hopeful of full relief from the taxes, but the trade generally is dissatisfied with the limited promise of partial relief instead of complete abolition. Active anti-Government agitation is brewing in the trade, with local threats of refusal to cooperate with Whitehall's propaganda campaign.

# New Federal Reply Charges Columbia With Illegal Tactics

June 1 has been set as the date for Federal Judge Bondy to hear the motion of the defendants in Government anti-trust suit for a more specific and additional bill of particulars.

Defendants contend that the Government failed to make its first bill sufficiently specific.

Friday, the Government filed another bill of particulars. The bill set forth details of the claims alleged against Columbia.

In it were listed 15 exhibitors who were allegedly compelled by Columbia from 1934 through 1937 to maintain minimum admission prices and were allegedly prevented from double-featuring Columbia product.

The Government also claimed in the bill that Columbia had a working agreement with the Interstate Circuit, Inc., operators of 15 theatres in Dallas, Ft. Worth, San Antonio and Houston, Texas, not to license certain of its pictures exhibited in Interstate Circuit theatres to any other exhibitor in the four Texas cities at a smaller adult evening admission price than 25c.

The Government reserved the right, in its bill, to augment the list of alleged specific violations at any time prior to the trial.

Columbia, the bill stated, had compelled independents to pay four or five times the rental upon subsequent runs that major producer exhibitors paid. As an example, it continued, during 1935-36 Henry Lazarus, operator of the Coliseum Theatre in New Orleans, paid more than four

(Continued on page 4)

# Neely Forces 'Showdown' By Thursday

## Attack Upon Delay Brings Promise of Action

Washington, May 28.—The Senate Interstate Commerce Committee will meet before Thursday to consider the Neely anti-block booking bill, according to assurances given by Chairman Wheeler over the weekend. Senator Neely, in consequence, is withholding his motion to dismiss the committee from further consideration of the measure, which would have forced a vote on the floor.

Senator Neely said, however, he would renew his motion if the committee fails to take action on the bill before June 1.

### Condemns Delays

In a flailing attack on the subcommittee, Senator Neely charged no measure in Congress has ever met with the "unreasonable and unjustified" delay accorded the block booking bill, and declared the subcommittee's lack of action has been "unpardonable, inexcusable and disgraceful."

Asking for a vote on his motion, he pleaded with the Senate to "help me drag, pull, haul or snake this bill out of the subcommittee and get it on the calendar."

Outlining the history of the legislation, he declared there have been ample hearings and that the last hearing record ran over 600 printed pages.

Efforts to secure action by Senator Smith, subcommittee chairman, now absent because of his wife's illness, or Senator Barkley, were futile, he told the chamber.

### Quick Action Promised

Contending that discharge of the committee would be a reflection upon the absent chairman, Senator Barkley pointed out that Chairman Wheeler of the full committee could order the subcommittee to take action, and the latter promised that if the subcommittee did not meet immediately on Senator Smith's expected return next week, he would call a meeting of the full committee and take the matter up.

## No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Memorial Day.**

# British Industry Makes War Emergency Plans

The British film industry is making efficient preparations to cope with a war—while hoping and praying for peace.

Herman Wobber, 20th Century-Fox general manager of distribution, who returned last week from Europe, says that "so long as the element of uncertainty exists, we have something to worry about and we here must increase our efforts to offset it."

Companies will move their operations to Wembley, a London suburb, in event London is raided from the air. Twentieth Century-Fox is building 30 vaults where negatives, prints and the like will be stored if the company is forced to evacuate its Soho Square building in London.

Duplicate records have been made for six months, one set remaining at the home office and the other stored at Wembley. Complete office furnishings and equipment are being kept at the emergency headquarters.

At the Wembley offices, which will be ready for occupancy at a moment's notice, trenches have been dug and other safeguards taken for the personnel. This will afford protection from air bombardments.

Every employe knows exactly what to do in case something should happen. Air raid drills are held regularly. Hundreds have enlisted in the services and civil defence, subject to call at any time.

# Plea for Fair Trial of Code By Kuykendall

(*Continued from page* 1)

Harry G. Kosch, counsel for the unit, in commenting on the proposed arbitration setup, said it was "the best yet."

Critics of the proposals believe it may be difficult to induce a sufficiently large number of independent exhibitors to accept arbitration.

Those who favor conciliation over arbitration declare a basic weakness is that the awards, if ignored by a party to a dispute, could not be enforced without court action, which, they assert, is open to the complainant at the outset.

While conciliation which was favored by the M.P.T.O.A., is not provided, it is understood the plan is to recommend informal conciliation to the disputants before arbitration proceedings are started. Conciliation without any formal rules is now practiced in numerous instances.

## *Holiday Closes Offices*

All home offices will be closed tomorrow for the holiday. A considerable portion of the staffs, however, started the vacation earlier and many will not be in their offices today.

## *Variety Club Leases*

KANSAS CITY, May 28.—Variety Club has extended the lease on its present quarters on Film Row for two years, and is installing air conditioning.

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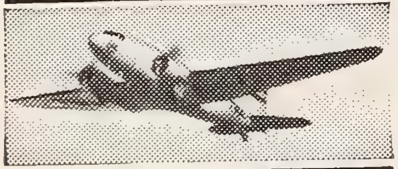

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SHORTEST, FASTEST COAST-TO-COAST

# ◂ *Purely Personal* ▸

MARY PICKFORD, BUDDY ROGERS and E. T. CARR, U. A. joint managing director in London, sail on the *Normandie* tomorrow night. MISS PICKFORD and ROGERS will return to New York early in July.

●

THOMAS DONALDSON, M-G-M; BARNEY PITKIN, RKO; AL PICKUS, operator of the Stratford; MAX HOFFMAN, Warner Theatres; GEORGE WILKINSON, JR., Wilkinson Theatre, Wallingford, played in the Racebrook Country Club's invitation golf tournament at New Haven late last week.

●

JORGE ENRIQUE PARDO of Teatro San Jorge, Bogota, Colombia, has left for Chicago after a brief visit here. He will spend some time at the Mayo clinic, Rochester, Minn., then return here.

●

CHARLES MAZUR, Manville Theatre, Manville, N. J., and ROY L. KALVER of the Adams and Madison, Decatur, Ind., were visitors at the RKO World's Fair Lounge Friday.

●

ZAC FREEDMAN, who left the Paramount, Newark, to handle the tour of ABE LYMAN and his band, has joined MAE WEST in Cincinnati, and will continue with her to the coast.

●

LOU SMITH, associate producer to FRANK LLOYD on Paramount's "Ruler of the Seas," in New York last week on the picture, returned to the coast over the weekend.

●

H. M. RICHEY, in charge of exhibitor relations for RKO, returned to New York yesterday from Kansas City where he addressed the K. M. T. A. convention.

●

JOSEPH SEIDELMAN, Universal vice-president and foreign manager, sails for Europe tomorrow night on the *Normandie*, to be gone about two months.

●

MORRIS J. ROTKER, a New York projectionist since 1907, and former official of Local 306, will celebrate his 25th wedding anniversary on June 17.

●

SAM SHAIN, editor of MOTION PICTURE DAILY, is New York-bound from the coast with stopovers at San Francisco, Chicago and Springfield, Ill.

●

WALTER BRECHER, son of LEO BRECHER, circuit head, has announced his engagement to ROSLYN KAPLAN, daughter of DR. IRA KAPLAN.

●

MURRAY SILVERSTONE, United Artists chief executive, has postponed indefinitely a European trip which he planned to begin tomorrow.

●

VERA ZORINA, stage star, is due at the Warner studio on Wednesday to start work in the leading feminine role of "On Your Toes."

●

LYNN FARNOL, United Artists' advertising and publicity director, has gone to Maine for the Decoration Day weekend.

●

MAURICE BERGMAN, Columbia advertising and publicity head, is spending the holiday at Atlantic City.

●

FRED SCHAEFER, RKO pressbook editor, and MRS. SCHAEFER are on a vacation trip.

ERICH POMMER arrives today on the *Normandie* to confer with Paramount on production on his "Admirable Crichton." He may attend the Paramount sales convention in Los Angeles.

●

RICHARD RAWLS is the new technical director of New York Federal Theatre productions.

●

JOHN J. MALONEY, M-G-M district manager in Pittsburgh, will receive an honorary LL.D. degree and be the chief speaker at the 93rd commencement of St. Vincent's College, Latrobe, Pa., on Thursday. Maloney graduated from the school in 1908.

●

WILLIAM HEINEMAN, western sales manager for Universal, left over the weekend by plane on a week's tour of the midwest territory, stopping at Chicago, Minneapolis, Milwaukee and Detroit.

●

JACK SEGAL, manager of foreign exchange operations for Columbia, returns on the *Normandie* today after seven months in Europe, Egypt and India.

●

M. M. BERGHER, Columbia's manager for Japan, arrives from the coast today to confer with JOSEPH A. MCCONVILLE, foreign manager.

●

ALFRED HARTY, editor of *Equity*, official organ of Actors Equity, addressed Local 5 of American Federation of Teachers Friday.

●

MRS. MERVYN LEROY has arrived from the coast to join her parents, MR. and MRS. HARRY M. WARNER, at the Waldorf-Astoria.

●

LOUIS HAYWARD and his wife, IDA LUPINO, left for the coast yesterday after a honeymoon in New York of two weeks.

●

COL. H. A. COLE, president of national Allied, left yesterday for Dallas after attending the N. Y. Allied convention.

## *Kuhn Suit Against Warners Delayed*

Hearing on Fritz Kuhn's application for a temporary injunction pending trial to restrain Warner Bros. Picture Co., Inc., from exhibiting "Confessions of a Nazi Spy" was adjourned Friday by Federal Judge Leibell to June 2, upon request of Warner Brothers. Four attorneys are busy preparing evidence to fight Kuhn's application. Suit is for an injunction and $5,000,000 damages, charging that the picture libels Kuhn and the German-American Bund.

## *RKO Trustee Wins More Time to Pay*

Federal Judge Bondy Friday signed an order which authorized the Irving Trust Co., RKO trustee, to extend time of payment by it of $50,000 in secured 6% gold debentures from June 1, 1939 to Jan. 1, 1940.

The $50,000 is the final balance due on an original issue of $1,118,500 payable under a contract between RKO, Bank of America National Trust and Savings Association, the Chemical Bank and Trust Co. and RCA.

# 20th-Fox Trai To Springfiel Leaves Toda

The 20th Century-Fox special tra carrying more than 100 newspap magazine and syndicate writers a photographers, leaves New Yor day, bound for tomorrow's elab premiere of "Young Mr. Lincoln" the Fox-Lincoln in Springfield, Ill.

From Hollywood will go a conti gent of stars, while newspaperm from midwestern cities are traveli directly to Springfield.

### Premiere Broadcast

The program will be broadcast ov a 72-station hookup of the Mutu Broadcasting System, from 10 to 10: P.M., E.D.S.T., tomorrow. Low Thomas will be master of ceremoni for the broadcast, and Marian Ande son, contralto, will be featured.

In addition to newspaper represe tatives from 20 cities, film guests w include Clyde Eckhardt, 20th Centur Fox Chicago manager; Archie He zoff of Balaban & Katz; E. V. Dine man, RKO Palace, Cincinnat Charles E. McCarthy, Rodney Bus Bill Chambliss, Louis Davidson, Ro er Ferri, Leonard Gaynor, Chris Wilbert and Earl Wingart, 20th Ce tury-Fox home office; B. B. Rei gold, 20th Century-Fox, St. Loui Gus Lampe, RKO Schine Theatr Syracuse; Carter Barron, Loew Theatres, Washington.

From the coast will be Binn Barnes, Alice Brady, Eddie Collir Roy Dannenbaum, Hector Dod Cesar Romero and Arleen Whelan

### Arranges Day's Program

The day's program for the gues in Springfield includes a lunche tendered by the Mid-Day Lunche Club at the Leland Hotel, wi Thomas acting as spokesman for t party.

Tours to points of interest will o cupy the afternoon, and a buffet su per will be served after the openi at the Abraham Lincoln Hotel. T train will return to the east at no on Wednesday, arriving in New Yo on Thursday.

Lt. Gov. John Stelle of Illinois a a committee of 14 legislators will re resent the state at the premiere.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

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**THE NATIONAL SCREEN TRAILER GIVES YOU BOTH!**

***Plus*** Lowest cost per person reached because the National Screen Trailer reaches a hundred per-cent audience all of the time.

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That's why the National Screen Trailer is the biggest advertising dollar's worth you can buy!

**NATIONAL Screen SERVICE**

PRIZE BABY OF THE INDUSTRY

# KMTA Elects, Debates Code, Doesn't O.K. It

KANSAS CITY, May 28.—After a debate, the Kansas-Missouri Theatres Association convention Friday adopted a resolution mildly commending distributors for their efforts in drafting the trade practice code.

No approval of the code was given. O. F. Sullivan of Wichita led the fight against approval. He said the distributors would use the code to bolster their defense against the Government anti-trust suit.

### Explains Arbitration

H. M. Richey, director of exhibitor relations for RKO, discussed the code's arbitration provisions, stressing clearance. The code's success, he said, depends on the cooperation of local exhibitors and distributors.

Frank Cassil, St. Joseph, Mo., was reelected president; Homer Strowig, Abilene, Kan., vice-president, and Fred Meyn, Kansas City, Kan., secretary-treasurer.

Directors elected were: From Kansas, Gus Diamond, Salina, R. R. Biechele, Kansas City, Strowig and Meyn; from Missouri, John Stapel, Rock Port, George Harttmann, North Kansas City, Tom Edwards, Eldon, and Tom Wilhoit, Plattsburg.

### Kuykendall Attends

Those who registered at the convention included:

J. W. Grantham, Baxter Springs, Kans.; Fred Meyn, Kansas City, Kan.; J. G. Caldwell, Aurora, Mo.; Tom Wilhoit, Plattsburg, Mo.; Reuben Finkelstein, Kansas City, Mo.; Ed Kuykendall, Columbus, Miss.; Ed Rolsky, Kansas City; R. R. Biechele, Kansas City; Frank Cassil, St. Joseph; George Harttmann, North Kansas City.

H. C. Musgrave, Minneapolis, Kan.; Warren Webber, Stafford, Kan.; M. A. Otto, Pleasanton, Kan.; Mr. and Mrs. Charles Barron, Pratt, Kan.; Mr. and Mrs. Abe Baier, Mrs. George Maloney and Mrs. C. H. Burkey, Kansas City; Homer Strowig, Abilene, Kan.; O. F. Sullivan, Wichita, Kan.; J. D. Rankin and Virgil Harbison, Tarkio, Mo.; I. Danowsky, Rialto, St. Joseph, Mo.; Earl Courter, St. Joseph, Mo.; Senn Lawler, Lon Cox, and H. E. Jameyson, Fox Midwest; Sam Sosna, Manhattan, Kan.; Louis Sosna, Moberly, Mo.; Jay Means and W. D. Fite, Kansas City.

## *Levy Quits M-G-M*

David A. Levy has resigned as New Jersey branch manager for M-G-M, effective next month. He has no definite plans.

## *Ampa Fetes Trotta*

**Ampa on Thursday will honor its only active charter member, Vincent Trotta, Paramount art director, who also is celebrating his 25th year in the industry. A special program has been arranged and more than 150 are expected to attend. It will be called "Ampa's Trottazapoppin' Luncheon."**

# *Equity Offers Compromise In Television Control Fight*

Compromise proposal on jurisdiction of Actors' Equity over television is now pending before the international board of Associated Actors and Artistes of America.

The board has sent out a resolution urging the grant of immediate jurisdiction to Equity and then referring the matter to the Reconstruction Committee.

The committee is working on a plan to form "one big union" to eliminate jurisdictional disputes between actor unions.

The compromise offer was revealed by Philip Loeb, member of Equity council, in a report to the 26th annual meeting of Equity at the Hotel Astor Friday. The A.A.A.A. resolution requires the approval of Equity, Screen Actors' Guild and American Federation of Radio Artists.

Equity council has voted approval but S.A.G. has countered with a proposal of a joint committee of the three unions to administer the field until television develops commercially.

Equity has set June 7 as a deadline for a decision and there is a possibility that S.A.G. may modify its stand before that time. A.F.R.A. has not yet voted on the resolution but is expected to endorse whatever stand S.A.G. finally takes.

A profit of $39,000 was realized from operations during the year ending March 31, 1939, Paul Dulzell, executive secretary treasurer, reported.

Assets are $456,776, a drop of $13,207 from last year's $469,983. Dullzell explained that this was caused by setting up a reserve fund and writing down the value of physical assets which were held on the books at too high a figure.

William A. Brady, producer, member of Equity, appealed for reconsideration of Equity's refusal to permit Sunday shows. The matter was tabled indefinitely.

All elections were uncontested. Burgess Meredith was named third vice-president. Patricia Collinge, Dudley Digges, Augustin Duncan, Muriel Kirkland, Loeb, John A. Lorenz, Hiram S. Sherman, Jack Whiting, Merwin Williams and Harold Vermilye were elected to the council for five-year terms, John Alexander for two years and George Heller and Thomas Chalmers for one.

## Empire Universal Hears of Product

TORONTO, May 28.—Empire Universal Films, Ltd., yesterday concluded its three-day sales convention at the Royal York Hotel here, with an outline of G.B. product by Arthur A. Lee, vice-president. Thursday's session was devoted to Republic, with James R. Grainger, president, presenting the details. Friday was Universal day.

J. Cheever Cowdin, board chairman of Universal; Nate Blumberg, president; W. A. Scully, general sales manager, and F. J. A. McCarthy, eastern sales manager, represented that company and addressed the meeting.

Cowdin, Scully and McCarthy returned to New York over the weekend. Blumberg went to the coast.

At a luncheon Friday, guests included N. L. Nathanson, president of Famous Players Canadian; Henry L. Nathanson, general manager of Regal Films, Ltd.; Col. John A. Cooper, president of the Motion Picture Distributors of Canada; J. Earl Lawson, member of the Dominion House of Commons; N. A. Taylor, vice-president of the Independent Theatres Association of Ontario and general manager of 20th Century Theatres, Ltd.; Ben Geldsaler, Morris Stein, R. S. Roddick, Clarence Robson, T. J. Bragg and R. W. Bolstad of Famous Players Canadian; Jule Allen and Herbert Allen of Premier Theatres, Ltd.; H. T. Long and D. Main of Associated Theatres, Ltd., and local film critics.

Among those representing Empire-Universal were: President O. R. Hanson; Vice-President Paul Nathanson; General Manager Alfred W. Perry; Assistant General Manager A. J. Laurie; Secretary-Treasurer M. Stratton; Frank Fisher, Toronto branch manager; Harry Paynter, Montreal; Jerry Hoyt, St. John, N. B.; Walter Kennedy, exploitation manager; and A. Oulahan of Toronto.

## Outburst by Bioff Marks Union Trial

LOS ANGELES, May 28.—William Bioff, former personal aide to George Browne, president of the I.A.T.S.E., shouted from the witness stand, "You're a liar," at A. Brigham Rose, Local 37 attorney, when the latter on Friday told the court he would attempt to prove that Bioff obtained $100,000 in cashiers' checks from Joseph M. Schenck in 1937.

The outburst, which brought threats of contempt action from Superior Court Judge Henry Willis, trying the suit over control of the studio union, came as Bioff balked at answering Rose's questions.

"The only purpose of this questioning is to smear me," Bioff told the court.

## Japanese Propose Full Film Control

WASHINGTON, May 28.—Complete control of the film industry by the Japanese Government is provided in a proposed law now under consideration by the Imperial Diet, according to a report to the Department of Commerce by Consul S. G. Slavens, Tokyo.

Control of the industry would include censorship, designation of the kind of films which might be produced, importation and exportation of all films, exhibition and every other aspect of the film business.

## *Heads French Players*

Viviane Romance has been selected by French exhibitors as the most popular feminine French star, in a poll conducted by *La Cinematographie Francaise,* trade paper. Jean Gabin was voted the most popular masculine star. Transatlantic Films will import two of Miss Romance's starring films in the fall.

# New U. S. Bill Cites Sales By Columbi

(*Continued from page* 1)

times as much film rental for 21 fe tures as the Isis Theatre, operated Paramount Pictures, Inc.

With respect to the Governmen charge that Columbia encourag double-featuring on the part of affi ated theatres, the bill set forth the f lowing examples: Contracts allege made during the 1934-35 and 1935- seasons with theatres controlled National Theatres Corp. which pr vided for reductions in film rentals 5 per cent if certain Columbia pictur were shown in conjunction with oth features; similar contracts wi Loew's, Inc. and its subsidiaries fr 1934 through 1937 and with Warn Bros. Pictures, Inc. and its subsi aries, serviced by the Boston, N Haven, Philadelphia and West Co exchanges.

The Lincoln Theatre in Union Ci N. J. was specifically referred to a Warner house benefited by an agre ment of this type.

An alleged incomplete list of sta who were placed under contract multaneously by Columbia and ot producers was also stated as follow Gloria Blondell, under contract wi Warner Bros.; Melvin Douglas wi M-G-M; Irene Dunne with Pa mount; RKO and Universal; Ca Grant with RKO; and Edward Robinson with Warner Bros.

### Complaints of 15 Exhibitors

The Government listed 15 exhibit compelled to maintain minimum pri as follows:

Sam Kirchheimer, North Si Theatre, Houston, Texas; O. Bridges, Midway Theatre, Housto North Fort Worth Amusement C Isis and Rose Theatres, Ft. Wor Texas; Robt. Wygant, Heights The tre, Houston; Sam Archibald, Ho Theatre, Ft. Worth; Queens Amu ment Co., New Liberty Theatre a Ideal Theatre, Ft. Worth; Lo Richker, Gaiety Theatre, Ft. Wort H. C. Houston, Trinity Theat Dallas.

B. J. Highpower, Texan Theat Ft. Worth; C. A. Dickey, Aven Theatre, Ft. Worth; Donald Dix Haskell Theatre, Dallas; O. C. E ter, Peak Theatre, Dallas; L. L. D bar, Queen Theatre, Dallas; L. Bessinger, Queen Theatre, Dalla Robert Z. Glass, Knox St., Fair, a Lawn Theatres.

In other respects the bill clos followed that filed for the ot majors in the consolidated motion a for United Artists Corp. It reitera definitions of coercive selling, unf trade practices, key cities and maj producers.

## *Union Deadline Set For 5-Boro Circu*

Theatrical Managers, Agents a Treasurers Union has set this aft noon as deadline for the Five Bo circuit (Leff, Strassberg & Gol baum) to recognize the union as c lective bargaining agent, union sour disclosed over the weekend. Only sue involved is union recognition, was said.

# Pacific' Still Denver Lead With $8,000

DENVER, May 28.—"Union Pacific" still running strong enough to top town, with $8,000 in its fourth at the Denham. "Man of Con-t" and "Streets of New York" ew $4,500 at the Paramount.

Estimated takings for the week end-g May 24:

**ost Horizon" (Col.)**
ALADDIN—(1,400) (25c-40c) 7 days. oss: $4,000. (Average, $3,500)
**aling Dr. Kildare" (M-G-M)**
**eauty for the Asking" (RKO)**
BROADWAY—(1,100) (25c-40c) 7 days. er a week at the Orpheum. Gross: $2,000. verage, $2,500)
**nion Pacific" (Para.)**
ENHAM—(1,750) (25c-35c-40c) 7 days. week. Gross: $8,000. (Average, $6,500)
**Vuthering Heights" (U.A.)**
DENVER—(2,525) (25c-35c-40c) 7 days. oss: $7,500. (Average, $9,000)
**'s a Wonderful World" (M-G-M)**
**lying Irishman" (RKO)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. oss: $7,000. (Average, $8,500)
**Ian of Conquest" (Rep.)**
**treets of New York" (Mono.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. oss: $4,500. (Average, $3,500)
**ark Victory" (F.N.)**
**utside These Walls" (Col.)**
RIALTO—(878) (25c-40c) 7 days, "Dark ctory" 3rd week. Gross: $2,000. (Average, 750)

## ariety Club Award o Father Flanagan

PITTSBURGH, May 28.—Variety Clubs America will present their first an-al National Humanitarian Award June 26 to the Rt. Rev. Msgr. Ed-ard J. Flanagan of Boystown, Neb., cording to Chief Barker John H. arris.

Following a vote of the 21 variety nts recently in Detroit, Harris will to Omaha, with M-G-M Zone anager John J. Maloney of Pitts-rgh and Robert J. O'Donnell of allas, to present the first silver aque to Father Flanagan at a testi-nial dinner being arranged by the naha Variety Club.

Present will be Gov. Roy L. Cochran Nebraska, Senator Edward R. rke, Bishop James H. Ryan of naha, International President Henry onsky of B'nai B'rith, President illiam Jeffers of Union Pacific Rail-ad, Chief Justice Robert G. Sim-ns of the Nebraska Supreme Court, esident A. H. Blank of Tri-States eatres Corp., President Joseph oper of F. H. Cooper Enterprises, ayor Daniel Butler, Publisher Henry orly of the Omaha *World-Herald,* d others.

## 'Best Dressed' Title Won by Si Seadler

**Si Seadler, dignified advertising manager of M-G-M, was awarded first honors as "best dressed" man in the "monkey business" division of a men's fashion contest staged by Random House in connection with a cocktail party for Elizabeth Hawes, author of "Men Can Take It."**

**Heywood Broun and Moss Hart were among the judges.**

# Hollywood Previews

## "S O S. Tidal Wave"

*(Republic)*

HOLLYWOOD, May 28.—Seemingly born of timely speculation anent televisions's ultimate place in daily affairs and of recollections of the Orson Welles panic program, "S.O.S. Tidal Wave" ends in an extremely thrilling sequence wherein political gangsters commandeer a television station and substitute horror films for factual reporting to convince citizens that a tidal wave has destroyed New York and is sweeping inland. Panic ensues.

This most novel and genuinely exciting finish is something new on the screen, something to see and, incidentally, something for the F.C.C. to keep in mind when television newsreels become as commonplace in the daily routine of the population as radio newscasts are now.

In a slow buildup to this terrific ending, Ralph Byrd is established as a Winchell of the telenewsreels with Frank Jenks his amusing assistant, Marc Lawrence as a gangster backing a mayoral candidate of criminal background, George Barbier as a television ventriloquist and Kay Sutton, Dorothy Lee, Ferris Taylor and Donald as others intimately affected.

Lawrence's use of the fake telecast to throw the city into panic on election day is more effective by reason of this early slowness. It is strong enough to carry the picture unassisted.

Armand Schaefer produced the film with John H. Auer directing the screenplay by Maxwell Shane and Godron Kahn based on a story by James Webb.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

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*"G" denotes general classification.*

# Mexico Notes

MEXICO CITY, May 28.—President Lazaro Cardenas has promised Mexican producers and distributors a reduction in taxes on all pictures in Spanish. The extent of the reduction is left to the Government.

Rafael Sanchez Tello, producer, has sued the Mexican Cinematographic Workers' Union for recovery of $3,000 he claims he put up to start production of a film. He contends the union failed to start the film and gave unsatisfactory reasons for the delay.

President Cardenas has requested the Confederation of Mexican Workers to reconsider its intention to boycott all pictures made in Spain during the Franco administration, since it considers that Government to be Fascist. The request followed a plea by producers and distributors to the President that such a move would kill Mexican films in Spain, their best market.

Mexican producers are fighting shy of naming films after popular songs. The practice was extensively adopted when producers believed a hit song would carry a picture, but several successive failures have caused them to veer away from the idea.

## Set Columbus Duals

COLUMBUS, O., May 28.—RKO Palace and Grand, first and second runs, respectively, will inaugurate double feature policies June 2, to continue for the balance of the summer. No change in the admissions will be made.

## Reissue 'New Movie'

Dell Publishing Co. is reissuing *New Movie,* the trade mark and other assets of which were purchased from Tower Publications in 1934.

# London Notes

LONDON, May 28.—Television will be featured on the agenda of the next Cinematographic Exhibitors Association conference at Blackpool. Another session will be devoted to the training of projectionists. Sydney Bernstein, chief of the Bernstein theatres, will read a paper on trade problems. Reginald Stamp, chairman of the London county council, has been invited to address the conference on licensing matters.

A parliamentary move is being made to include cinemas and other places of entertainment within reaches of the new civil defense bill. If successful, picture houses will be compelled to take immediate precautions for operation in the event of war. These refer mainly to lighting of premises.

A new company, Bank Night, Ltd., has been registered in Britain with a share capital of £100. The organization plans to extend bank night schemes in British cinemas.

## Brandt Books "Marne"

Brandt Circuit has booked the Spectrum release, "Heroes of the Marne," French importation, starring Raimu. "Two Gun Troubadour," last of a series of six Fred Scott musical westerns, has been completed and will be released shortly by Spectrum.

## N. B. Theatre Burns

FREDERICTON, N. B., May 28.—Gaiety Theatre here and a number of frame buildings were destroyed in a $200,000 fire.

## Ornato Starts Comedies

Joseph Ornato has started work on "Good Scout," first of a series of comedies to be titled "Our Kids," which he is producing and directing for Century-Television-Pictures, Inc.

# 'Some Like It' At $17,500 in Phila. Slump

PHILADELPHIA, May 28.—"Some Like It Hot," with "The Mikado in Swing" on the stage, gave the Fox $17,500. No other house did better than average in a week of holdovers and circus competition.

**"Wuthering Heights" (U. A.)**
ALDINE—(1,300) (32c-42c-57c) 7 days. 6th week. Gross: $5,000. (Average, $8,160)
**"Calling Dr. Kildare" (M-G-M)**
ARCADIA—(600) (25c-42c-57c) 7 days. 2nd run. Gross: $2,000. (Average, $2,800)
**"Lucky Night" (M-G-M)**
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $11,000. (Average, $14,000)
**"Tell No Tales" (M-G-M)**
EARIE—(2,000) (26c-32c-43c) 7 days. Gross: $7,000. (Average, $8,000)
**"Some Like It Hot" (Para.)**
FOX—(3,000) (32c-42c-57c-68c) 7 days. (6 days stage). Stage: "The Mikado in Swing." Gross: $17,500. (Average, $16,000)
**"Mutiny on the Bounty" (M-G-M)**
KARLTON—(1,000) (32c-42c-57c) 7 days. Revival. Gross: $2,000. (Average, $4,000)
**"Dark Victory" (W. B.)**
KEITH'S—(2,000) (32c-42c-57c) 7 days. 2nd run. Gross: $4,000. (Average, $4,000)
**"Story of Vernon and Irene Castle" (RKO)**
PALACE—(1,000) (26c-42c) 7 days. Gross: $3,000. 3rd run. (Average, $4,500)
**"Union Pacific" (Para.)**
STANLEY—(3,700) (32c-42c-57c) 6 days, 2nd week. Gross: $7,000. (Average, $12,000)
**"Confessions of a Nazi Spy" (W. B.)**
STANTON—(1,700) (26c-32c-42c) 7 days. 2nd week. 2nd run. Gross: $4,200. (Average, $7,000)

## Sees Hollywood Best On Spanish Pictures

Ramon Peon, Cuban producer and director, here with Raul Medina of International Films of Cuba, is of the opinion that Hollywood alone offers the necessary technical facilities for producing Spanish language films.

He believes, however, that talent should be imported from Spanish speaking countries, and that native directors and writers should be in charge of production.

## Asher Productions Start Work Shortly

LONDON, May 28.—Irving Asher Productions, Ltd., recently formed, with Jerome J. Jackson as associate producer, will start shortly on the first film. A minimum of four pictures a year is planned with a total cost of $1,250,000.

## Fairbanks, Chaplin In U. S. Tax Cases

WASHINGTON, May 28.—Douglas Fairbanks, Sr., and Charles Chaplin had business with the Tax Appeals Board Friday. Fairbanks agreed to pay $87,283.01 back income taxes and Chaplin disputed the government's claim for $65,208.48 additional and demanded instead a refund of $24,938.04 already paid.

## Five Shows Close

**Five more legitimate stage shows closed Saturday in Broadway's rapidly fading season. "Stars in Your Eyes," "One for the Money," "Primrose Path," "Clean Beds" and the American Lyric Theatre's repertoire shut down. Sixteen remain.**

# Boston Gives 'Rose' Good $17,500 Lead

BOSTON, May 28.—"Rose of Washington Square" and "Risky Business" dualing at Keith Memorial, took top money with $17,500. "Lucky Night" and "Tell No Tales," playing at Loew's Orpheum and State, took $16,500 and $11,500 respectively.

Estimated takings for the week ending May 24:

**"Blondie Meets the Boss" (Col.) (4 days with vaude.)**
**"Undercover Agent" (Mono.) (4 days with vaude.)**
**"3 Smart Girls Grow Up" (Univ.) (3 days.)**
**"Love Affair" (RKO) (3 days)**
RKO KEITH BOSTON—(3,200) (20c-30c-40c). Gross: $8,000. (Average, $8,500)

**"Rose of Washington Square" (20th-Fox)**
**"Risky Business" (Univ.)**
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $17,500. (Average, $14,500)

**"Union Pacific" (Para.)**
**"Winner Take All" (20th-Fox)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. 2d run. Gross: $9,000. (Average, $8,000)

**"Union Pacific" (Para.)**
**"Winner Take All" (20th-Fox)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. 2d run. Gross: $5,500. (Average, $5,300)

**"Gracie Allen Murder Case" (Para.)**
**"King of the Turf" (U.A.)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $10,500. (Average, $15,000)

**"Lucky Night" (M-G-M)**
**"Tell No Tales" (M-G-M)**
LOEW'S STATE—($3,600) (25c-35c-40c-55c) 7 days. Gross: $11,500. (Average, $10,500)

**"Lucky Night" (M-G-M)**
**"Tell No Tales" (M-G-M)**
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $16,500. (Average, $14,500)

**"Man of Conquest" (Rep.) (2d run)**
**"Eagle and the Hawk" (reissue)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $5,700. (Average, $5,000)

# 'Rose' Big $16,000 Best in Cincinnati

CINCINNATI, May 28.—"Rose of Washington Square" led with $16,000 at the RKO Albee. "The Hardys Ride High" in a second week at the RKO Capital did $6,700.

Estimated takings for the week ending May 24-27:

**"Rose of Washington Square" (20th-Fox)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $16,000. (Average, $12,000)

**"Union Pacific" (Para.)**
RKO PALACE—(2,700) (35c-42c) 6 days. 2nd week. Gross: $8,900. (Average, 7 days, $10,000)

**"The Mikado" (Univ.)**
RKO SHUBERT—(2,150) (35c-42c) 7 days. Gross: $7,000. (Average, $10,000)

**"The Hardys Ride High" (M-G-M)**
RKO CAPITOL—(2,000) (35c-42c) 7 days. 2nd week. Gross: $6,700. (Average, $6,500)

**"Tell No Tales" (M-G-M)**
RKO LYRIC—(1,400) (35c-42) 7 days. Gross: $2,900. (Average, $5,000)

**"The Story of Alexander Graham Bell" (20th-Fox)**
RKO GRAND—(1,200) (25c-40c) 7 days. 2nd week. Gross: $2,000. (Average, $2,750)

**"On Trial" (W.B.)**
**"Bulldog Drummond's Secret Police" (Para.)**
RKO FAMILY—(1,000) (20c-30c) 4 days. Gross: $1,100. (Average, $1,500)

**"They Made Me a Criminal" (RKO)**
**"Manhattan Shakedown" (Warwick)**
RKO FAMILY—(1,000) (20c-30c) 3 days. Gross: $900. (Average, $900)

**"Return of the Cisco Kid" (20th-Fox)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,800. (Average, $6,000)

## Move Atlanta Exchange

ATLANTA, May 28.—Dixie Film Exchange, independent here, has moved to new and larger quarters at 145 Walton St.

# Hollywood Preview

## *"Racketeers of the Range"*

*(RKO)*

HOLLYWOOD, May 28.—Modernized as it is, yet basing its merits as popular entertainment with especial appeal for juvenile audiences on tried and proved action adventure elements, "Racketeers of the Range" is a standard George O'Brien western melodrama. Thrills and excitement are the main features, with romantic interest based on a taming of the shrew premise. The comedy and musical interludes are elementary. There are enough solo and mass fights, chases, gunplay and breakneck antics aboard a speeding cattle train to suit the most avid thrill addicts.

Hoodwinking Marjorie Reynolds, owner of a packing plant, into an association, big business racketeers, aided by a contingent of rustlers, freeze out honest cattle raisers. Holding up trains and using motor trucks to steal cows is one of their tricks. The cattle men seemed doomed until O'Brien takes a hand. Buying up all his neighbors' cows, after becoming receiver for the plant, his two problems are to deliver the cattle safely and convince Miss Reynolds she is allied with the wrong lineup. He succeeds, of course, in both objectives.

O'Brien, naturally, is pretty much the whole show, yet he has capable assistance from Miss Reynolds, Chill Wills, Gay Seabrook, Robert Fiske and Monte Montague.

Bernard McConville wrote the original story and Oliver Drake the screenplay. D. Ross Lederman directed.

Running time, 60 minutes. G. McC.

## Pathe Common Stock Purchased by Young

WASHINGTON, May 28.—Acquisition by Robert R. Young, Jersey City, Pathe director, of 600 shares of Pathe common stock in March, bringing his holdings to 20,427 shares, has been reported by the Securities and Exchange Commission in its semi-monthly summary.

The commission also disclosed that it had received January reports on Monogram Pictures, showing that Joseph A. Sisto, New York, director, through J. A. Sisto & Co., had disposed of 78,130 options for common stock, reducing his holdings to 55,742, and that William R. Stewart, New York, director, also through J. A. Sisto & Co., had acquired 5,000 options, his total holdings.

A December report for Preston Davie, New York, Universal Pictures director, showed acquisition of 10 shares of first preferred, bringing his holdings to 110 shares.

## Bingo Legalized

HARTFORD, CONN., May 28.—Governor Raymond E. Baldwin has received from the state legislature a bill legalizing Bingo. The Bill provides for municipal control over the game with permits to be issued to non-profit organizations of at least two years' standing. Cash prizes are banned.

## Asks 'Ecstasy' Trial

ALBANY, May 28.—Henry Pearlman, appearing before Supreme Court Justice Schenck, yesterday asked for trial by civil jury in an effort to lift the bans imposed on Eureka Productions' "Ecstasy." Pearlman maintains all objectionable scenes have been lifted.

## Lazarus Gets Release

HOLLYWOOD, May 28.—Jeff Lazarus has obtained his release from his Paramount producer contract effective in mid-August upon completion of pictures under his supervision.

## Para. Gets Benny As Banquet Emcee

HOLLYWOOD, May 28.—Jack Benny wil be master of ceremonies at the entertainment-banquet marking completion of Paramount's three-day annual sales convention at the Ambassador here, June 8-10.

More than 250 delegates from the company's domestic, Canadian and foreign sales forces and the home office are expected.

Robert Gillham, Paramount advertising and publicity director, left New York by train last night en route to the company's sales convention. He will stop over in Chicago and Kansas City, arriving in Los Angeles a few days ahead of the home office delegation which leaves here June 4.

## 'Sun Never Sets' Next at Music Hall

"The Sun Never Sets," Universal film, has been booked to follow "Captain Fury" in the Music Hall. This will be the second Universal picture to be played in the theatre this season. "East Side of Heaven" was the first.

## Des Moines 'U' Outing

DES MOINES, May 28.—J. J. Spandau, manager of the Universal Exchange here, is planning an outing to reward his office staff for helping the Exchange to win district first prize in the recent Playdate drive and second in the country.

## Copyright Draft Today

Draft of the Shotwell committee's recommendations for changes in the Federal copyright laws is scheduled to be completed today and forwarded to Congress for consideration at this session.

## 'Juarez' to Europe

Warners will release "Juarez" in Europe late in July. Its national release date in United States is June 10.

# 'Victory' Hits $29,900 in 2 L. A. Houses

LOS ANGELES, May 28.—"Dark Victory" scored here, with a total o $29,900 at two houses, $15,100 at the Warner Hollywood and $14,800 a[illegible] Warner Downtown.

Estimated takings for the week ending May 24:

**"Goodbye Mr. Chips" (MGM)**
4 STAR—(900) (40c-50c) 7 days. Gross $9,000. (Average, $3,250)

**"East Side of Heaven" (Para.)**
**"Whispering Enemies" (Col.)**
HILLSTREET—(2,700) (30c-65c) 7 days 2nd week. Gross: $5,500. (Average, $6,500

**"Rose of Washington Square" (20th-Fox)**
**"Danger Island" (20th-Fox)**
LOEW'S STATE—(2,500) (30c-$1) 7 days Gross: $15,700. (Average, $14,000)

**"East Side of Heaven" (Para.)**
**"Outside These Walls" (Col.)**
PANTAGES—(3,000) (30c-65c) 7 days, 2n week. Gross: $5,300. (Average, $7,000)

**"Union Pacific" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days 4th week. Stage: F. & M. revue. Gross $15,000. (Average, $15,000)

**"Dark Victory" (W. B.)**
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $15,100. (Average $14,000)

**"Dark Victory" (W. B.)**
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $14,800. (Average $12,000.)

**"Rose of Washington Square" (20th-Fox)**
**"Danger Island" (Col.)**
WILSHIRE—(2,300) (30c-$1.00) 7 days Gross: $11,000.

## Ohio ITO in Battle For Tax Recover

COLUMBUS, May 28.—Carlton S Dargusch, former vice-chairman of th Ohio Tax commission, has been retained by the I.T.O. of Ohio as counsel to protect interests of members i actions to recover on the state thre per cent sales tax.

The state's answers in connectio with two suits for recovery are due i Franklin County Court of Appeal June 15.

The I.T.O. has advised member that they must pay the "use" tax o purchases made outside the state. Ta Commission auditors have been checking exhibitors' books and in man cases exhibitors have been compelle to pay the tax plus a 15 per cent penalty.

## Para. Seeks Coast Television Sende

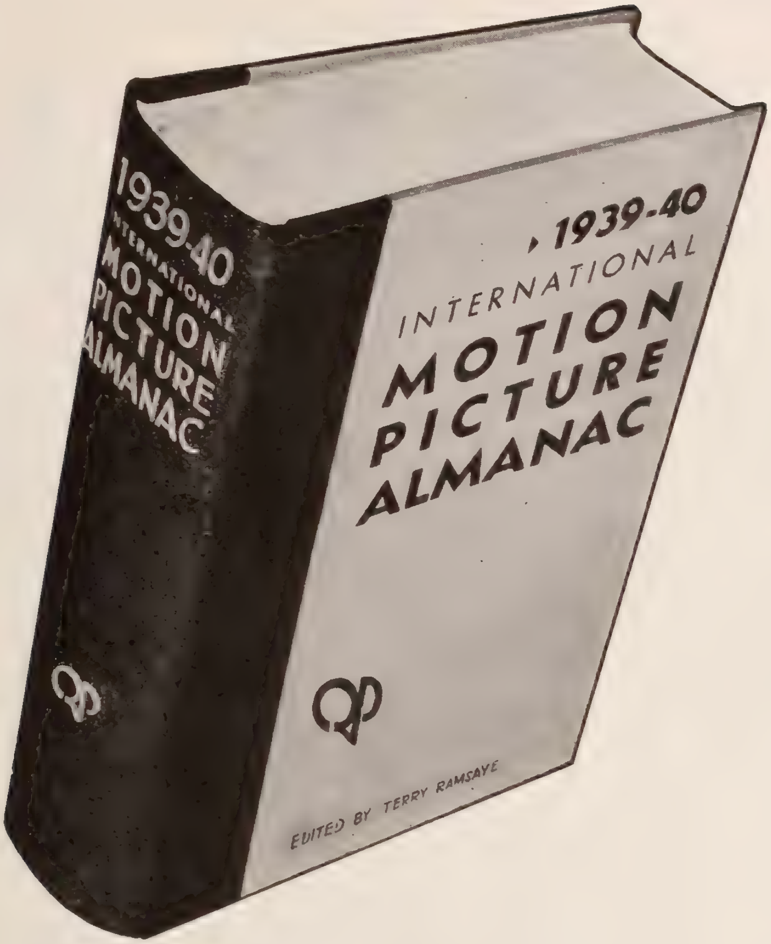
Paramount and Allan B. DuMon Laboratories will make application t the Federal Communications Commission for a license for a televisio transmitter on the coast in the nea future.

Plan is to erect the transmitter o the company's new studio site. Construction would start within a shor time after favorable F.C.C. action

Television Prod., Inc., for whic incorporation papers were filed lat last week in Sacramento, will operat the transmitter under direction of Pau Raibourn, president of the new company.

## RCA Gets Deal

Deal has been closed whereby 6 theatres of the Saenger Amusement and United Theatres circuits are t have their sound reproducing equipment serviced by RCA Photophone



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## MOTION PICTURE ALMANAC

OCKEFELLER CENTER, NEW YORK

# NBC Renewal Given Fidler, Other Shows

Jimmy Fidler's NBC broadcasts have been renewed for another year, which will keep Fidler on the air over NBC until June, 1940. The film gossiper is also heard over CBS. Both of his programs are sponsored by Procter & Gamble, with the H. W. Kastor agency representing the client.

Another program renewed on NBC is the "Uncle Jim Question Bee" series, sponsored by George Washington Coffee. This renewal also is for one year.

On the west coast, the Sperry Flour Co. has extended the contract of the serial, "Dr. Kate," for 13 weeks, effective immediately. Series is heard over the Pacific split Red and Mountain Red networks. Westco agency handles the account.

A number of local renewals are "Musical Varieties," sponsored by RCA Manufacturing Co. and broadcast mornings over WEAF, for 13 weeks; "Along Fifth Avenue," broadcast over WJZ and renewed for an additional five weeks through the World Wide agency; and Benrus time signals, renewed for another year through J. D. Tarcher agency.

## *White House Party To Hear Girls' Band*

CINCINNATI, May 28.—The Coon Creek Girls, Lily Mae, Rosie Leford, Viola Hoehler and Daisy Lange, from the Kentucky Mountains, will entertain President and Mrs. Roosevelt and the King and Queen of England at the White House on June 8. The girls' band made its radio debut slightly over a year ago on WCKY.

## *Radio Day Delayed For World's Fair*

Although plans for celebration of the first official radio day at the World's Fair had been set for this week, with a two-hour WMAC show, incomplete Fair facilities for the broadcast have necessitated postponement. The new date is expected late in June.

## *Report CBS Stock Gift*

WASHINGTON, May 28.—Disposition of 600 shares of Columbia Broadcasting System Class A stock, by gift, in December, 1938, by Jerome H. Louchheim, Philadelphia, a director in the company, has been reported tonight by the Securities and Exchange Commission. At the close of the year Louchheim held 19,010 shares of Class A stock.

## *Baer Fight on Air*

RCA Manufacturing Co. has signed to sponsor the broadcast of the Max Baer-Lou Nova heavyweight prize fight Thursday. Broadcast will start at 10 and will be aired over 85 to 95 stations of the Blue network.

## *Sponsor Buys Show*

"Name It and Take It," program with Ed East on WJZ for the past four weeks, has been sold to a sponsor. Effective June 2, American Beverage Co. will be behind the series.

# *CBS's Summer Business Leaps 45%; 13 New Shows*

### *Only 12 Programs Taking Vacations Off Air; 8 Return in Fall*

CBS clients will broadcast more than 45 per cent more program-hours this summer than last, and will utilize over 60 per cent more station facilities, according to business now on the books.

Last year 54 programs were broadcast weekly during summer months; this year there will be 67. Last year 20 programs took summer vacations from the network; this year only 12 are planning to suspend, with eight of the 12 already scheduling a definite return after their hiatus.

New CBS programs launched at the start of this summer include "News and Rhythm," for Bowey's; "Music" by Malneck for Pall Mall; "When a Girl Marries" for Prudential Insurance and a new series for Woodbury.

Among leading accounts which are maintaining full summer schedules this year are Ford, Reynolds Tobacco, and Pet Milk. Only once before has Ford continued throughout the summer; Camel cigarettes will continue both of their half-hour programs. Pet Milk for the first time will keep its "Saturday Night Serenade" on CBS plus its daytime "Pet Milk Way" show all summer long.

## *Radio to Describe Army Maneuvers*

U. S. Army authorities have extended permission for extensive radio coverage of the Army maneuvers August 16 to 25 in the vicinity of Plattsburg. Arrangements were negotiated by the Army General Staff, Abe Schechter, representing NBC; Bill Dunn, CBS; Morris Novick, WNYC, and Leon Goldstein of WMCA. Mutual was not represented, but one of the other networks was its proxy.

## *RCA Dividend*

RCA has declared a quarterly dividend of 87½ cents per share on its First Preferred stock and a dividend of $1.25 per share on "B" Preferred stock.

## *Ruppert Quits WKRC*

CINCINNATI, May 28.—William A. Schudt, Jr., general manager of WKRC, has announced the resignation of R. A. Ruppert, director of advertising and sales promotion.

## *Free Legal Advice Is Aired in Mexico*

**Mexico City, May 28.—Radio is being put to a new use in Mexico by the local Chamber of Commerce. Free legal advice regarding business problems is being broadcast for businessmen for 15 minutes every Thursday afternoon by leading lawyers, who talk for publicity's sake, from Station XEQ.**

## *Broadcasting Rules Argument Thursday*

WASHINGTON, May 28.—Oral argument on the proposed report of the Committee on Rules governing operation of standard broadcast stations will be disposed of in one day by the time limitations adopted yesterday by the F.C.C.

The argument will be heard June 1, and the commission has allocated six hours, of which the N.A.B. will be given 40 minutes, the clear channel group 80 minutes, the National Association of Regional Broadcast Stations one hour, and the National Independent Broadcasters 40 minutes. CBS, NBC and five individual broadcasters will be given 20 minutes each.

## *Radio Personals*

CBS announcer John Allen Wolfe became the father of a baby boy on his wedding anniversary, May 25. . . . Jane Froman starts her new CBS series June 11, about the same time she opens in George White's "Scandals" and makes a week's stay at the Paramount. . . . Frank Vigneau, Guy Lombardo's pianist, back with the band after being out with appendicitis. . . . Barry Woods, CBS singer, opens with his own band at the Claremont June 1.

•

Fred Weber, general manager of Mutual, back from Boston on Saturday. . . . Mary Little, radio editor of the Des Moines *Register and Tribune*, accompanied by Gwen McCleary, KRNT-KSO commentator, will be in New York tomorrow for one week. Miss Little will cover radio shows here for her papers. . . . Dr. Walter Damrosch has been set for a guest appearance on Bing Crosby's program Thursday.

## *AP News for Sale to Radio Stations*

**Associated Press, after long consideration of the problem, has lifted restrictions against the broadcasting of its news on sponsored radio programs.**

**AP is the last of the great news services to capitulate to radio. United Press and International News Service have been conducting business with radio profitably for a number of years.**

**AP news may be used in sponsored fashion upon payment of a 25 per cent special assessment. However, on sponsored programs, credit need not be given AP for the news. On unsponsored programs the granting of full credit will be mandatory.**

**AP news recently became available to stations serviced with news by the Press Radio Bureau when the latter went out of business. This, however, was only a temporary arrangement.**

# Banner LINES

THERE isn't much likelihood th the networks will sell time o their short-wave stations now that th F.C.C. has granted permission to d so.

There are a number of reasons t give them pause. In the first plac the F.C.C. ruling is so muddled [illegible] no one we have questioned has [illegible]fessed to understand it. The stipulation that programs must be of th type to "reflect the culture of thi country and which will promote ir ternational goodwill, understandin and cooperation" is as elastic as rubber band.

Short-wave operators are not chi dren and they do not care to exper ment by seeing how far it can stretc before breaking.

They do not need to be reminde that a sting follows the breaking a rubber band.

Again, no one anticipates that th money to be derived from commerci short-wave will ever amount to im portant revenue. We've talked both NBC and CBS, and contrary what has been printed elsewhere, ther has been no rush on the part of spo sors to crowd the short-wave cha nels. Networks do not anticipate an such rush.

Right now we definitely know th the surest way to make CBS or NB unhappy would be by coming up an asking to buy some shortwave tim Fact, we'd bet they won't sell yo time.

For the third and final point, rig now the American short-wave st tions are very much in favor wit South American listeners, publishe and broadcasters. Private belief he is that the moment they start to com pete with the newspapers and statio down there, they'll have a dogge fight on their hands. All in all, ou short-wave stations have received grant they did not seek, and no n want, now that they've got it.

▼

**Newspapers demonstrated co clusively in the Squalus traged that the press can handle domest news as quickly and efficiently radio. It was a lesson radio neede in our estimation, for broadcaster have been more than cocky sinc they licked the pants off the pres in the Czechoslovakia crisis.**

▼

*It is doubted that CBS and Mu tual will offer facilities of their Ne York City key stations for the base ball broadcasts again next summe Tying up the key stations raises to much havoc with their networ schedules, they've learned. Probab next season the games will be broad cast over local stations such as WH and WMCA.*

▼

CBS and NBC will again take ac tion to soft-pedal the monthly tim sale revenue figures. Business depar ments of both webs are currentl meeting to devise a new method conveying such information to th press. The new policy, it is indicate will stress the program rather tha the financial end.

Last year the networks, for a pe riod, withheld completely the billin figures, but the boycott was abandone when the press succeeded in obtainin the figures despite the ban.

BY JACK BANNE

DO NOT REMOVE

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# MOTION PICTURE DAILY

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Film and
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. 45. NO. 104 NEW YORK, WEDNESDAY, MAY 31, 1939 TEN CENTS

# enate Group Weighs Neely Report Today

### pposition to Bill Shown By Committeemen

VASHINGTON, May 30.—Carrying the promise made to Senator ely last week, the Interstate Comrce subcommittee in charge of the ck booking bill will meet tomorrow rning to consider the recommendah to be reported to the full comttee.

Returning to Washington yesterday, airman Smith of the subcommittee ed a call for the meeting, as Chairn Wheeler of the full committee promised May 26, after Senator ely "let loose" on the floor over the issitudes to which his bill had been jected.

While the committee last year, withhearings, made a favorable report the measure, observers here believe subcommittee will submit an adse report, basing their prediction the attitude of members attending hearings.

At that time, it is pointed out, ator Smith frequently expressed bt as to the desirability of the islation; Senator White voted inst the bill in the Senate last year, Senator Tobey, not present, is ected to take his cue from Senator ite.

Barkley is noncommital.

## Coast Flashes

HOLLYWOOD, May 30.—James Rooset, vice-president of Samuel Goldn, Inc., today sent his regrets to A. Steffes of Minneapolis, naal Allied convention chairman, who invited him to address the meet. Roosevelt will probably leave ursday for New York.

•

Warners will release two one-reel jects produced by Errol Flynn and ward Hill on hunting and fishing h bows and arrows.

•

Paramount has signed Joel McCrea two years on exclusive contract. will be co-starred with Madeleine rroll in "Safari." . . . Selznick International will star Carole Lombard in he Flashing Stream," which Alfred tchcock will direct. . . . Claire evor will play opposite John Wayne RKO's "Pennsylvania Uprising," ich P. J. Wolfson will produce m his own script.

## *MGM Short Grows Into a Full Feature*

**Hollywood, May 30.—M-G-M will make a feature release out of "They All Come Out," originally a "Crime Does Not Pay" two-reeler. A documentary on Federal prison reform, the film was enlarged to four reels, and now will be made as a six-reeler.**

**It will have romance and a regular story, with Rita Johnson taking the feminine lead opposite Tom Neal. This will be the first feature for Jack Chertok, shorts producer.**

# Warner 26-Week Operating Profit Totals $1,665,888

Warner Bros. Pictures, Inc., and subsidiaries, report a net operating profit of $1,665,888.90, for the 26 weeks ending Feb. 25, 1939, after deducting all charges, including amortization and depreciation and Federal income taxes.

The net compares with a net operating profit of $2,824,618.13 for the corresponding period the previous year.

The net profit from operations for the more recent period, before charges for amortization and depreciation of properties and Federal income taxes, was $5,187,173.83. Gross income for the period, after eliminating intercompany transactions, was $25,216,483.13. the comparable figure for the pe-

(Continued on page 7)

# Merger of Hoyts and Greater Union Houses Under Way

By LIN ENDEAN

SYDNEY, May 30.—Merger of Hoyts Theatres and Greater Union Theatres, Australia's dominant circuits, is under way.

The combination would merge 145 theatres in key cities, suburbs and secondary towns. The deal provides for consolidation of the two companies and affiliates into one company. A new corporation would be formed.

The merger would include all theatres and other interests. The theatres operated by Dan Carroll, the Prince Edward in Sydney and Winter Garden, Brisbane, would be included. Greater Union is interested in these holdings. Any profits derived from the operation of these houses would be included in the pool.

Hoyts owns about 100 theatres, including 80 suburban houses. Greater Union has about 40.

The merger negotiations are in progress in New York between Charles E. Munro, managing director of Hoyts, and Norman Bede Rydge, Greater Union managing director. Dan Carroll is also here.

In addition to the interests named above, the deal would include the Snider-Dean operations grouped in National Theatres, which are jointly owned with Hoyts. These include the St. James, Brisbane; Lyceum, Melbourne; Mayfair, Sydney; a theatre in Hobart and one in Launceston, both in Tasmania.

Hoyts and Greater Union in 1932 combined in joint operation under a

(Continued on page 7)

# *'U' Sets Production Record; Seven Pictures Being Shot*

HOLLYWOOD, May 30. — Universal studios reach a production peak this week as the company enters its second year under new management. Seven major productions are in work, taxing present facilities, with 2,500 employes on the payroll. This is said to be an all-time high for the company.

N. J. Blumberg, president, has arrived for an indefinite stay at Universal City to check current production and supervise plans for continued expansion, in collaboration with Cliff Work, Matty Fox, Milton Feld and other studio executives.

The studios have undergone a physical transformation since Blumberg's first official visit here a year ago. Improvements, under the supervision of David S. Garber, operations manager, have been made in every department.

More than $300,000 has been spent on reconstruction and new equipment and additional sums have been appropriated. Extra crews have been ordered on two new sound stages. By working 24 hours a day, it is planned to complete both units by July 1. Construction is being speeded because of the increased production schedule, which calls for shooting at top speed on nine features throughout July. Present facilities accommodate seven.

# Para. In Study of Television For Key Cities

### *Watch All Developments, Circuit Chiefs Told*

Paramount theatre operators have been asked to make surveys to determine the feasibility of establishing television transmitters in their key cities throughout the country.

Paramount officials, admitting that the idea of such a network of television transmitters had been considered, said that for the present serious thought had been given only to the erection of stations in New York and Los Angeles. Elsewhere, the prospect of early construction activity is not a live one, it was said.

Circuit operators affiliated with the company in populous centers such as Chicago, Detroit, Boston, Atlanta, New Orleans and Dallas have been urged to keep abreast of television developments, to survey its practical application to their territories and to consider as an ultimate objective the establishment of transmitters in their key cities.

Paramount has a 50 per cent interest in DuMont Laboratories, manufacturer of television equipment. Their applications for transmitter licenses both here and on the coast may be acted upon by the Federal Communications Commission in the near future.

Paramount recently completed organization of Television Productions, Inc., in California with Paul Rai-

(Continued on page 7)

# 20th-Fox Meeting At Rio Tomorrow

RIO DE JANEIRO, May 30. — First South American convention of 20th Century-Fox will start here Thursday for three days with S. R. Kent, president, and Walter J. Hutchinson, foreign chief, attending. Kent arrives Thursday from New York.

The 20th Century-Fox president will outline Latin - American production plans and a program to strengthen ties with exhibitors and the industry in that market.

Kent will be received by President Vargas and Foreign Minister Oswaldo Aranha of Brasil.

J. C. Bavetta, Brazil managing director, is host to the gathering, which will be attended by Managing Directors S. S. Horen of Argentina, S. Chiesa of Peru and Arthur Ruscica of Chile and 40 salesmen.

# 25,000 More Members Set As Aim of 4A

"First obligation of any actors' union is to organize every entertainer in the country, and it is the aim of the Associated Actors and Artistes of America to increase its membership from the present 25,000 to more than 50,000," Florence Marston, eastern representative of the Screen Actors' Guild, declared Monday.

Mrs. Marston is chairman of the Reconstruction Committee of the A.A.A.A. which seeks to reorganize the 13 member unions into "one big union."

"Many legal, financial and technical difficulties stand in the way," Mrs. Marston continued, "but we are approaching the problem from an entirely new angle. Today we are starting from scratch and disregarding the existing setup.

"We are asking ourselves how we can best be of service to our 25,000 members and working out the details to suit them. The unskilled and semiskilled are the greatest problem. They work in only one field and have special problems in that field. The screen extras, for example, have little interest in the legitimate stage, radio or vaudeville."

Mrs. Marston pointed out that there are hundreds of cities and towns where entertainers are still unorganized. The little theatres, night clubs, radio stations and tent shows will be the focal point of an organization drive.

## *Washer In Goldwyn Publicity Post Again*

Ben Washer is returning to Samuel Goldwyn as eastern publicity and advertising representative. He will start officially July 12. His first assignments will be "Music School" and "The Real Glory."

Washer was with Samuel Goldwyn, then became United Artists publicity manager. He resigned some months ago to handle publicity for George Abbott Productions. He will be succeeded in that post by Frank J. McCarthy.

**3 Flights Daily**

**NEW YORK**
***TO***
**LOS ANGELES**

**THE PLAINSMAN**
Lv. 7:10 A. M. Ar. 12:29 A. M.
**THE MERCURY**
Lv. 5:10 P. M. Ar. 7:43 A. M.
**THE SOUTHERNER**
Lv. 10:10 P. M. Ar. 1:55 P. M.

Ask your travel agent or phone VAnderbilt 3-2580. Ticket offices: 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.

**AMERICAN AIRLINES** *Inc.*

# *Purely Personal*

FRED LANGE, Paramount's European supervisor, and Joseph H. Seidelman, Universal foreign chief, sailed yesterday on the *Normandie*. Others aboard were Leon G. Turrou, author of "Confessions of a Nazi Spy"; Mary Pickford, Clare Booth, Henri Bernstein, French playwright, and Ignace Jan Paderewski.

•

Raymond Massey will receive an honorary degree from Lafayette College June 9. He will be the first actor so honored in the college's 108 years existence.

•

Annabelle Kelly, 20th Century-Fox ad sales manager in Cincinnati, is celebrating her 20th anniversary as an employe of the company.

•

J. J. Ferretti of United States Air Conditioning International Corp., now in South Africa, writes he is sailing for home next month.

•

Herbert Rawlinson, eastern representative for Jesse L. Lasky in the "Gateway to Hollywood" talent quest, has gone to the coast.

•

Herman Gluckman, head of Republic's New York exchange, is expected back tomorrow after a brief Havana vacation.

•

Fay Holden and Leslie Fenton have been signed to new M-G-M contracts.

•

Abe Cohen, assistant office manager at Columbia's New York exchange, is vacationing upstate.

•

Anna Bell Ward of the Eliott-Ward Enterprises, Lexington, Ky., is in New York on a buying trip.

•

Ed Schnitzer, eastern district manager for Warners, returns today from a brief visit to Montreal.

•

Benny Goodman, playing at the RKO Albee, Cincinnati, is celebrating his 30th birthday.

STUART E. DUNLAP, M-G-M sales head in South America, arrives in New York from Chile today on the *Santa Lucia*. He will remain here about a month, combining business with a vacation.

•

Anthony Petti, assistant to J. Cheever Cowdin, Universal board chairman, returned to New York over the weekend from an extended coast visit.

•

Milton Harris, Loew publicity director in Cleveland, and Mrs. Harris, sail June 3 on the *Quirigua* for a three-week southern cruise.

•

Sid Heyman, recently appointed Monogram auditor, will take over his new post Monday following a week's vacation in Lake George.

•

William Rowland, producer of Spanish films for RKO release, has left for Mexico City by plane to resume production there.

•

Pearle Fireman of the Warner Chicago exchange will be married August 6 to Ted Levy, Warner circuit booker in Chicago.

•

Emanuel Silverstone, Alexander Korda's American representative, arrived yesterday from the coast after a brief stopover in Chicago.

•

Mitchell Rawson, Warners publicity manager, is vacationing.

## *FA Seeks Big Deal With Grand National*

Hollywood, May 30.—Thirty productions will be Fine Arts contribution to Grand National's 1939-40 program if a deal now being negotiated by attorneys for both companies is made, according to Franklyn Warner, Fine Arts president.

Fine Arts is now making "Trouble Over Pacific," in color. Warner said should negotiations fail, Fine Arts will reduce its output to eight films and try to arrange a major release.

# *Springfield Turns Out For 'Young Mr. Lincoln'*

Springfield, Ill., May 30.—This capital city of Illinois, where Abraham Lincoln practiced law as a young man, was the scene today of the premiere of the 20th Century-Fox feature, "Young Mr. Lincoln," at the Fox-Lincoln.

With newspaper and magazine writers brought in by special train from New York and the midwest, and another contingent of writers and stars from the coast, with the legislature of Illinois adjourned for the day and the city virtually turned over to the visitors by Mayor John W. Kapp of Springfield, the picture was greeted royally.

The city's streets were appropriately decorated for the dual observance of the opening of the film in the evening and Memorial Day.

The program in the evening included a broadcast from 10 to 10:30 o'clock over a 72-station Mutual hookup. Lowell Thomas was master of ceremonies. Marian Anderson, Negro contralto, featured the broadcast.

The state was represented at the premiere by Lieut. Gov. John Stelle and a committee of seven members of the State Senate and seven Representatives.

A luncheon was given by the Mid-Day Club for the visitors, welcomed by Mayor Kapp. At the speakers' table were Thomas, Alice Brady, Arleen Whelan, Binnie Barnes, Cesar Romero, Charles E. McCarthy, Eddie Collins, Emanuel Hertz, Lloyd Lewis, Elmer Rhoden, Fox Midwest division manager, and Dr. Herman B. Wells, president of Indiana University. Points of historical interest were visited during the afternoon.

A buffet dinner at the Abraham Lincoln Hotel followed the screening in the evening.

# Managers Go on Strike at 7 5-Boro Houses

Seven houses of the Five Boro circuit (Leff, Strassberg & Goldbaum were called out on strike by the Theatrical Managers, Agents and Tr urers Union at 6 P. M. Monday. strike was called to obtain recogn tion of the T.M.A.T. as collectiv bargaining agent for managers an assistants.

Houses involved are the DeLux Freeman, Tower, Lido, Fenway an Zenith, in the Bronx, and the Gran ada, Brooklyn. The union declare the following managers and assis ants had struck:

Charles Friedman, manager, Irvin Siegel, assistant, DeLuxe; Marti Wurtzberger, manager, Jack Brigh assistant, Granada; Jack Weinstei manager, Jerry Sanders, assistan Freeman; Louis Klein, manage Herman Kornweiser, assistant, Tow er; Edmund Brandhorst, manager, J seph Zillon, assistant, Lido; Morr Shan, manager, Harry Gandel, a sistant, Fenway; and C. E. Baro manager, Zenith.

## *Legion Approves 8 Of Nine New Film*

National Legion of Decency for th current week has approved eight the nine new films reviewed ar classified, five for general patrona and three for adults, and designat one as objectionable in part. The ne films and their classification follo

Class A-1, Unobjectionable for Ge eral Patronage—"Blue Montan Skies," "Captain Fury," "Flami Lead," "Mystery Plane," "Trigg Fingers." Class A-2, Unobjectionab for Adults—"Blind Alley," "Brid Suite," "The Gorilla." Class B, O jectionable in Part—"The Kid fro Kokomo."

## *Signed as Director*

Hollywood, May 30.—Twentie Century-Fox has signed Hamilt McFadden as director. Metro has r newed Leslie Fenton's contract as d rector.

**MOTION PICTURE DAILY**
(*Registered U. S. Patent Office*)

MARTIN QUIGLEY, Editor-in-Chief a Publisher; SAM SHAIN, Editor; JAM A. CRON, Advertising Manager.

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# JUST PREVIEWED!

"The best Tarzan picture I have ever seen," says author Edgar Rice Burroughs! A fortune is coming to the box-offices of America and M-G-M's tip to you is Get Your Share!

# TARZAN FINDS A SON

THE FIRST
RZAN PICTURE
IN 3 YEARS!
and how they'll go
for this one—
starring the great

**JOHNNY WEISSMULLER**

with Maureen O'Sullivan and the boy wonder, John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day. Screen Play by Cyril Hume. Based upon the characters created by Edgar Rice Burroughs. Directed by Richard Thorpe. Produced by Sam Zimbalist.

*from the Friendly Company*

# ‘Kentucky’ at $32,600 Best As Loop Slips

CHICAGO, May 30.—“The Lady's from Kentucky” aided by Eddie Duchin and his band, gave the Chicago $32,600. Business generally was badly off. “On Trial” at the State Lake was the only other house to better average, with $12,100.

Estimated Takings for the week ending May 24-27:

**“Calling Dr. Kildare” (M-G-M)**
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $4,200. (Average, $6,500)
**“Lady's from Kentucky” (Para.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Eddie Duchin and Band. Gross: $32,600. (Average, $32,000)
**“Streets of New York” (Mono.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,700. (Average, $6,500)
**“First Offenders” (Col.)**
**“Almost a Gentleman” (RKO)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville & Revue. Gross: $10,800. (Average, $13,000)
**“East Side of Heaven” (Univ.)**
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $13,000. (Average, $19,000)
**“Union Pacific” (Para.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $10,200. (Average, $11,000)
**“On Trial” (W. B.)**
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,100. (Average, $12,000)
**“The Hardys Ride High” (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $15,000)

# *‘Wonderful’ Draws $11,000, Providence*

PROVIDENCE, May 30.—Loew's State dual, “It's a Wonderful World” and “Tell No Tales” with $11,000, and the Majestic theatre's combination of “East Side of Heaven” and “The Last Warning” with $7,000, were leaders here.

Estimated takings for the week ending May 24-25:

**“It's a Wonderful World” (M-G-M)**
**“Tell No Tales” (M-G-M)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $11,000. (Average, $11,000)
**“East Side of Heaven” (Univ.)**
**“The Last Warning” (Univ.)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,000. (Average, $7,000)
**“The Mikado” (Univ.)**
**“The Family Next Door” (Univ.)**
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $6,000)
**“Some Like It Hot” (Para.)**
**“Sunset Trail” (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $6,000)
**“The Mystery of the White Room” (Univ.)**
FAY'S — (1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,000. (Average, $6,500)
**“Rose of Washington Square” (20th-Fox)**
**“Sweepstakes Winner” (W. B.)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $3,500)

# *‘Pygmalion’ Omaha's Best, Strong $8,200*

OMAHA, May 30. — “Pygmalion,” dualled with “Newsboys Home,” drew $8,200 at the Omaha. “Sergeant Madden” and “Everybody's Baby” took $7,900 at the Orpheum.

Estimated takings for the week ending May 25-26:

**“You Can't Get Away with Murder” (W.B.)**
**“Sweepstakes Winner” (W.B.)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $3,900. (Average, $4,000)
**“Pygmalion” (M-G-M)**
**“Newsboys' Home” (Univ.)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $8,200. (Average, $6,000)
**“Sergeant Madden” (M-G-M)**
**“Everybody's Baby” (20th-Fox)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $7,900. (Average, $7,600)

# *Hollywood Previews*

## *“Tarzan Finds a Son”*

*(M-G-M)*

HOLLYWOOD, May 30.—A quick description of M-G-M's latest Tarzan picture, “Tarzan Finds a Son,” would be “cops 'n' robbers in a jungle.” The picture, replete with melodramatic thrills on land, in the air and in water, perhaps will be the most popular of M-G-M's series featuring Johnny Weissmuller by virtue of making use of almost every minute for thrills and comedy.

Supporting Weissmuller in his familiar role are Maureen O'Sullivan, as his mate, “Jane,” and John Sheffield, a youngster whose displayed prowess makes him a “find.” Others in the cast are: Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day and Morton Lowry.

There are fights between wild animals, an elephant charge, comedy among the chimpanzees, entrancing shots of African wild life, and some views of underwater swimming by Weissmuller and the boy that are spectacular.

A preview audience of young and old were entranced by the picture and they, although regarding some of the scenes overdone, were wildly enthusiastic.

Sam Zimbalist produced the film, with Richard Thorpe directing and Cyril Hume writing the screenplay based on the characters created by Edgar Rice Burroughs.

Tarzan and his mate adopt an infant, sole survivor of a jungle plane wreck. Five years later, a safari arrives in Tarzan's domain to see if there are any survivors. In the party are two cousins of the boy who plot to obtain his estate in England, and Tarzan's mate permits them, through tricking Tarzan, to take the boy. Their true intentions are revealed as all, with the exception of Tarzan, are captured by cannibals. Tarzan with the aid of his animal friends, rescues the party.

Running time, 81 minutes. VANCE KING

## *“Across the Plains”*

*(Monogram)*

HOLLYWOOD, May 30.—A good story, production detail that features scenic beauty and gets full value for every dollar spent, natural acting and the full quota of thrills, excitement and action establish “Across the Plains” as better than an average western. It has the stuff to engage both juvenile and adult attention.

The theme concerns two brothers, made orphans when marauders murder their pioneer parents. One, Denis Moore, adopted by bandits, becomes a first class bad man on reaching maturity. The other, Jack Randall, adopted by Indians, lives only to avenge himself upon those who killed his parents. Their paths cross and immediately they become enemies. But through old scout Hal Price they learn their relationship just as they are about to fight a pistol duel. Moore, learning that the bandits headed by Robert Card are those who made him an orphan, joins with Randall to prevent their looting of a wagon train. Moore is killed in the melee ensuing and Randall, his days of wandering for vengeance over, settles down to romance with Joyce Bryant.

While Randall gives his usual convincing performance, Moore is outstanding in his role. Capable support is contributed by Price, Card, Miss Moore, Bud Osborne and Glen Strange.

Running time, 50 minutes. “G.”*

G. McC.

# *‘Rose’ Collects $2,700 In New Haven Slump*

NEW HAVEN, May 30.—The only bill to reach average business was the holdover of “Rose of Washington Square” and “Mr. Moto on Danger Island,” which took $2,700 at the College.

**“Rose of Washington Square” (20th-Fox)**
**“Mr. Moto on Danger Island” (20th-Fox)**
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)
**“Lucky Night” (M-G-M)**
**“The Saint Strikes Back” (RKO)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $6,500. (Average, $8,000)
**“Union Pacific” (Para.)**
**“Bulldog Drummond's Secret Police” (Para.)**
PARAMOUNT—(2,348) (35c-50c) 5 days. (Holdover). Gross: $3,600. (Average, $4,000)
**“Prison Without Bars” (U. A.)**
**“Torchy Runs for Mayor” (W. B.)**
ROGER SHERMAN—(2,200) (35c-50c) 6 days. Gross: $3,500. (Average, $4,700)

# *‘Union Pacific’ Hits $8,300 in Montreal*

MONTREAL, May 30.—“Union Pacific” stood out here taking $8,300 at Loew's. “East Side of Heaven,” on a double bill at the Capitol, drew $7,000. Estimated takings for the week ending May 26:

**“East Side of Heaven” (Univ.)**
**“Society Smugglers” (Univ.)**
CAPITOL—(2,547) (25c-40c-55c-65c). Gross: $7,000. (Average, $8,000)
**“Union Pacific” (Para.)**
LOEW'S — (2,800) (30c-40c-60c). Gross: $8,300. (Average, $7,000)
**“Zenobia” (U. A.)**
ORPHEUM—(919) (25c-35c-50c). Gross: $3,200. (Average, $5,000)
**“Broadway Serenade” (M-G-M)**
PALACE—(2,600) (25c-40c-55c-65c). Gross: $8,500. (Average, $10,000)
**“Society Lawyer” (M-G-M)**
**“The Kid from Texas” (M-G-M)**
PRINCESS — (2,272) (25c-35c-50c-65c). Gross: $4,400. (Average, $6,500)

# ‘Heights’ Hits $6,300 Gross In Milwauke

MILWAUKEE, May 30.—“Wuth ing Heights” and “Fisherma Wharf” collected $6,300 at the W ner for the week's high. “The of a Baby” was good for $5,50 the Alhambra.

Estimated takings for the we ending May 25-26:

**“The Birth of a Baby”**
ALHAMBRA—(2,660) (25c-35c-50c) 7 da Gross: $5,500.
**“The Family Next Door” (Univ.)**
RIVERSIDE—(2,700) (25c-30c) 7 da Stage: “Broadway Merry-Go-Round.” Gro $6,500. (Average, $6,500)
**“Wuthering Heights” (U. A.)**
**“Fisherman's Wharf” (RKO)**
WARNER — (2,400) (35c-50c) 7 da Gross: $6,300. (Average, $4,500)
**“Tell No Tales” (M-G-M)**
**“Jones Family in Hollywood” (20th-Fox)**
**“Only Angels Have Wings” (Col.)**
**“Boy Friend” (20th-Fox)**
PALACE—(2,400) (35c-50c) 3 and 4 da respectively. Gross: $3,800. (Average, $4,
**“Union Pacific” (Para.)**
**“Sudden Money” (Para.)**
STRAND—(1,400) (35c-50c) 7 days. Gro $1,600. (Average, $2,000)
**“It's a Wonderful World” (M-G-M)**
**“Kid from Texas” (M-G-M)**
WISCONSIN—(3,200) (35c-50c) 7 da Gross: $5,000. (Average, $5,500)

# *‘Freedom’ $26,500 Pittsburgh Lead*

PITTSBURGH, May 30.—“Let Fr dom Ring,” grossed an exceptio $26,500 at the Stanley with a st show. “Rose of Washington Squa brought $7,600 to the Fulton, and second week of “Union Pacific” g $6,300 to the Warner.

Estimated takings for the week e ing May 25:

**“The Gorilla” (20th-Fox)**
ALVIN — (1,900) (25c-35c-50c) 7 d Gross: $3,900. (Average, $7,000)
**“Rose of Washington Square” (20th-Fo**
FULTON—(1,700) (25c-40c) 7 days. Gr $7,600. (Average, $5,000)
**“Dark Victory” (W. B.)**
LOEW'S PENN—(3,600) (25c-35c-50c) days. Gross: $14,400. (Average, $15,000)
**“Missing Daughters” (Col.) 4 days**
**“My Man Godfrey” (Uni.) 3 days**
**“Old Dark House” (Uni.) 3 days**
SENATOR—(2,000) (25c-40c) split wee days. Gross: $1,800. (Average, $3,800)
**“Let Freedom Ring” (M-G-M)**
STANLEY — (3,600) (25c-40c-60c) sta Eleanor Powell, Andy Iona's Hawaii Pichinchi Troupe, Randall Sisters, Joe K 7 days. Gross: $26,500. (Average, $17,
**“Union Pacific” (Para.)**
WARNER—(2,000) (25c-40c) 7 days, week. Gross: $6,300. (Average, $4,500)

# *‘Hardys’ Registers $13,000, Clevela*

CLEVELAND, May 30.—“The Har Ride High” led here with $13,000 Loew's State. “Dark Victory” pl ing its third week downtown finis with $4,500 at the Allen.

Estimated takings for the week e ing May 26:

**“Dark Victory” (W. B.)**
ALLEN—(3,000) (30c-35c-42c) 7 days, week. Gross: $4,500. (Average, $4,000)
**“Rose of Washington Square” (20th-Fo**
WARNERS' HIPPODROME — (3, (30c-35c-42c) 7 days. Gross: $11,000. (A age, $11,000)
**“The Gorilla” (20th-Fox)**
RKO PALACE—(3,100) (30c-42c-55c) days. Stage: Mae West in person. Gr $15,000. (Average, $15,000)
**“The Hardys Ride High” (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42c days. Gross: $13,000. (Average, $11,000)
**“Tell No Tales” (M-G-M)**
LOEW'S STILLMAN—(1,900) (30c- 42c) 7 days. Gross: $2,500. (Average, $4,

# Lincoln' at Springfield Is Memorable Industry Event

*(Special to Motion Picture Daily)*

Springfield, Ill., May 30.—Probably the greatest demonstration of audience enthusiasm in motion picture history greeted "Young Mr. Lincoln" at its world premiere tonight.

The audience, including 100 key representatives of the nation's press, wept, laughed, thrilled and without restraint greeted the conclusion of the pic-ure with sustained salvos of applause.

The reception proves Darryl F. Zanuck's "Young Mr. Lincoln" one of the mightiest class and mass attractions the industry has yet produced.

***And millions the country over were listening in to the World Premiere broadcast over 72 stations!***

# 75 Paramount N.Y. Delegates To Coast Meet

Paramount's national sales convention which opens June 8 at the Ambassador Hotel, Los Angeles, will be attended by 274 members of the company's sales force, home office officials, foreign representatives and studio executives.

About 75 delegates will go to the meeting from New York on the convention special leaving here next Sunday afternoon. In the delegation will be:

Barney Balaban, Stanton Griffis, Adolph Zukor, Austin Keough, I. Cohen, John W. Hicks, George Weltner, Lou Diamond, Russell Holman, H. Klarsfield, A. L. Pratchett, F. C. Henry, H. Hunter, C. R. Dickinson, T. Reddin, Neil F. Agnew, J. J. Unger, Charles Reagan, Oscar Morgan, G. B. J. Frawley, H. L. Lorber, A. J. Dunne, M. R. Goodman, F. A. Leroy, J. Roper, L. Flynn, Alec Moss, Al Wilkie, Don Velde, Sam Palmer, A. O. Dillenbeck.

Don Gibbs, Moe Kallis, M. S. Kusell, I. A. Lesser, J. P. Touhy, M. R. Volck, M. Gluck, T. Aber, M. Mendel, E. H. Bell, H. A. Kaufman, A. Gebhart, J. C. Perley, E. W. Sweigert, U. F. Smith, H. Rubin, George T. Beattie, J. D. Holman, R. Garman, W. W. Sharpe, J. E. Fontaine, H. C. Thompson, J. Bryan, W. V. Dougherty, H. Davidson, R. M. Grace, R. Doyle, A. M. Kane, J. Moore, J. Gubbins, T. Duane, E. Bradley, W. L. Hughes, P. Broderick, J. Bown, H. Germaine, R. Carroll and T. P. Thornton.

The following trade paper representatives, making the trip as guests of Paramount, will also be aboard the convention special: Terry Ramsaye, Pete Harrison, Charles Lewis, Red Kann, W. R. Wilkinson, Sherwin Kane and George Morris.

En route the following will join the group: C. G. Eastman, R. D. Hayes, W. Waters, G. Schuller Beattie, L. Beecher, K. G. Robinson, M. Simon, F. H. Myers, W. Rosenow and E. Walter.

Arriving in Chicago, 85 sales representatives from the midwest will join the party. They are:

H. H. Goldstein, M. R. Clark, M. Greenwald, T. L. Irwin, J. B. Gardner, H. Roth, M. Barrett, D. Kimelman, E. M. Stuve, G. Elmo, R. E. Caskey, G. H. Peterson, C. Morgan, R. L. Clark, J. J. Oulahan, M. S. Cummins, N. B. Kaplan, V. A. Kramer, C. W. Powers, H. Eberts, J. Harris, E. Ruff, M. A. Mulligan, J. L. Hunter, W. J. O'Neill, H. Pfaff, R. Murphy, H. O. Burns, M. A. Brown, T. Dowbiggan, P. J. Hogan, A. Usher, H. R. Hamburg, E. L. Goldberg, H. Wirthwein, B. F. Elrod, W. H. Hamm, L. Aurelio, J. Scott, J. T. Howard, J. E. Ryder.

J. R. Young, H. E. Stuckey, J. E. Thompson, W. J. Embach, J. W. Brown, F. C. Clark, R. Sheinbaum, K. J. Werthamer, R. W. Baker, J. V. Lenahan, R. Weinfurter, J. H. Stevens, D. C. Newman, W. H. Esch, F. E. Wagoner, C. Kemp, A. Fromuth, H. F. Wilkie, J. F. Kirby, J. D. Campbell, K. Chalman, J. C. Goodson, W. G. Bradley, O. O. Ray, A. H. Duren, J. S. Young, W. F. Bugie, S. Frifield, H. L. Dean, T. S. Watson, H. T. Baker, H. E. Pickett, E. M. Adams, B. A. Slaughter, S. Lett, C. P. Freeman, D. Baum, E. B. Price, E. E. Shinn, M. J. Artigues, S. M. Otis, J. J. Nicoll and William Young.

At Omaha, the following will be picked up: J. T. Manfre, G. W. Hinton, R. Carnie, J. W. Stark, J. R. Young, P. Hannon, A. H. Cole, J. H. States, N. Burruss, C. E. House, C. A. Roeder, J. T. McBride, W. A. Wandel, C. Scheufler, A. Mendenhall, E. I. Rubin, C. H. Weeks, B. A. Tomte, W. B. Haarmann, W. A. Overturf, R. M. Copeland, P. W. Robbins, F. V. Thomas, S. O'Hara, W. J. Curry.

H. T. Bahner, B. T. Bahner, B. Blotcky, J. Wolf, F. R. Anderson, R. P. Ableson, V. Sessler, L. A. Hummel, E. B. Lund, F. C. Meyers, J. R. Fritcher, A. S. Carr, H. W. Braly, L. W. McClintock, C. L. Dees, C. H. Weaver, H. G. Simmons, B. H. Brager, T. W. Bridge, F. Larned, W. C. Kroeger, H. H. Gleaves, M. Schweitzer, J. J. Curry, H. Nicholson, T. H. McKean, G. Caughan, S. Brunk, E. Plumlee.

At Evanston, Wyo., G. A. Smith and C. N. Peacock will board the special while at Salt Lake City the following 12 members of the sales staff will board the train en route to Hollywood; C. J. Bell, C. J. Duer, R. C. Ryan, W. M. Williams, J. Vos, W. A. Plunkett, F. H. Smith, A. Heid, H. M. Glanfield, J. G. Wilcos, H. Smith, and C. Burdette.

The following will travel via auto and special train meeting the conventioneers in Hollywood: G. K. Haddow, R. M. Gillham, M. Sattler, H. Randel, W. H. Erbb, W. Hansher, W. O. Kelly, G. Lynch, J. J. Donohue, H. N. East, J. M. Bettencourt, A. R. Taylor, H. W. Haustein, J. E. Hurley, R. C. McDonnell, M. Segel, D. Spracher, G. H. Haviland, R. L. Estill, F. A. Roe, A. R. Anderson, G. Brogger, L. G. DeWaide, L. G. Stang, D. A. Wilson, S. Ralston, D. Brickman, R. Simpson, J. C. Rodman, R. C. LiBeau and G. Sessler.

Members from the Los Angeles exchange attending the session include I. G. White, H. Haas, M. C. Burles, L. C. Bristol and J. Haas.

# Theatre, Personnel Moves

### Desch in Monogram Post

Douglas Desch, former Grand National branch manager in Kansas City, has been named manager of Monogram's exchange there, replacing Lester Durland, who has sold his interest in the exchange. J. R. Wilson, Monogram home office supervisor, is in Kansas City until Desch takes over.

### Harris Shifts Policy

PITTSBURGH, May 30.—The Senator, Harris Amusement house, has changed from stage shows and films to a second run dual film policy, two changes weekly. Barry, Skirboll circuit house, has closed for the summer.

### Closes for Summer

PROVIDENCE, May 30.—RKO Albee here has closed for the summer, with William McCourt, manager, returning to his regular post as assistant at the Keith Memorial, Boston.

### Anger to Remodel

BRIDGEPORT, May 30.—Lou Anger, operator of the Colonial, will renovate and redecorate it completely.

### Oshrey Joins Warners

CINCINNATI, May 30.—Sam Oshrey, booker for Grand National, has resigned to accept a similar post with the local Warner branch. He is succeeded by Martin McNamee.

### Building in N. C.

MORGANTOWN, N. C., May 30.—C. V. Davis is building a new theatre here, to cost $75,000. Associated with him will be W. I. and F. W. Davis.

### Charlotte House Ready

CHARLOTTE, N. C., May 30.—The Dilworth, new 600-seat house of North Carolina Theatres, Inc., will open at the end of the month.

### Take Kansas City Unit

KANSAS CITY, May 30.—Griffith-Dickinson Theatres, Inc., has taken over the 500-seat Mainstreet in Independence, Kan.

### Form Theatre Company

HARRISBURG, PA., May 30.—Tenth and Arch Streets Corp. has been chartered here to operate theatres in Philadelphia. Incorporators are Jules Arliss, Aaron Kohn and Lenora S. Kohn.

### New Milwaukee Manager

MILWAUKEE, May 30.—Leonard Grossman has succeeded A. J. Cooper as manager of the Alhambra, recently reopened downtown house.

### John Scott Shifted

CLEVELAND, May 30.—John Scott, Paramount ad sales manager here, has been transferred to Chicago to take a similar position. Melvin Barrett, assistant ad sales manager in Pittsburgh has been promoted to Scott's post here.

### Tarr Joins Commonwealth

KANSAS CITY, May 30.—John Tar, Jr., who has been managing E. Van Hyning's Best at Independence, Kan., has resigned to join the Commonwealth Amusement Corp. as manager of the Sherman, Goodland, Kan.

### Plan Louisville House

LOUISVILLE, KY., May 30.—Horace A. and T. P. Taylor, Jr., plan a store building and theatre here, to be completed by Oct. 1. The house will seat 1,100.

### Open Virginia House

LURAY, Va., May 30.—The Page, new $75,000 theatre, has opened here.

### Close Cleveland House

CLEVELAND, May 30. — The City Theatre, which plays foreign pictures in the winter season and which later turned to revivals of American films, has closed for the summer.

### Lease Ohio Theatre

GEORGETOWN, O., May 30.—Earl Hewitt & Son, who operate a theatre at Bethel, O., have taken a 10-year lease on the Arcade here from Mrs. Ida Purdum. The house will be remodeled.

## *Jack Warner Honored*

HOLLYWOOD, May 30.—Jack L. Warner, vice-president of Warners, tomorrow will receive one of the 1939 awards of the American Institute of Cinematography for screen achievement. He will be made an honorary member.

## *Calgary Tops RKO Drive*

RKO's Calgary branch continues to lead the 38 offices at the end of the 16th week of the 18-week George Schaefer sales drive. New York is in second place and Detroit third. The northeastern district leads the seven districts in the United States and Canada. The eastern division heads the western.

## *Assign Mono. Options*

Options on 78,130 shares of Monogram common stock were assigned by J. A. Sisto & Co. during January, a report to the S.E.C. revealed Monday. The firm still held options on 55,742 shares. Option on 5,000 shares was assigned to William R. Stewart, ex director. The Sisto firm sold its last 2,267 Monogram shares in March.

## *Two RKO Outings*

June 12 and June 19 have been set for the annual RKO employees' outings. Boat ride on the *Peter Stuyvesant* to Bear Mountain, entertainment and sports are on the programs.

# Studios Busy With 43 Films Now Shooting

HOLLYWOOD, May 30.—Forty-three pictures were before the cameras this week, as 10 finished and eight started. Twenty-three are being prepared, [illegible] 72 are in the cutting rooms.

Started were: "Criminal at Large," Columbia; "Thunder Afloat," and "Miracles for Sale," M-G-M; "Stunt Pilot," Monogram; "My Fifth Avenue Girl," RKO; "Here Am I a Stranger," 20th Centry-Fox; "I Stole a Million," Universal; "The Return of Dr. X," Warners.

In addition to these, shooting were "Mr. Smith Goes to Washington," "Golden Boy," "Escape from Alcatraz," "Blondie Takes a Vacation," Columbia; "The Real Glory," Goldwyn; "On Borrowed Time," "Stronger Than Desire," "The Women," "Babes in Arms," M-G-M; "Heaven on a Shoestring," "The Star Maker," "Ruler of the Seas," "Disputed Passage," "Our Leading Citizen," "Double Dyed Deceiver," "Are Husbands Necessary?" Paramount "Memory of Love," "The Spellbinder," "Nurse Edith Cavell," "Bad Lands," RKO; "The Fighting Irish," Republic; "Gone with the Wind," "The Rains Came," "Elsa Maxwell's Hotel for Women," "Chicken Wagon Family," "Harmony at Home," 20th Century-Fox; "Modern Cinderella," "The Underpup," "Dames," "Bright Victory," Universal; "Dust Be My Destiny," "Nancy Drew and the Hidden Staircase," "Career Man," "The Knight and the Lady," Warners.

Finished were: "A Woman Is the Judge," "Mounted Police No. 2," Columbia; "Music School," Goldwyn "Lady of the Tropics," M-G-M "Nightwork," Paramount; "Mickey the Kid," "Wyoming Outlaws," Republic; "The Phantom Creeps," Universal; "Winter Carnival," Wanger; "Dead or Alive," Warners.

## *Jewish Refugee Aid Meeting Tomorrow*

Luncheon-meeting of the Amusement Division of the United Jewish Appeal for Refugees will be held at the Hotel Edison tomorrow at 12:30. Sponsoring committee, comprising David Bernstein, chairman; Albert Warner, Jack Cohn, Abe Schneider and Barney Balaban, will outline campaign activities. Rabbi Abba Hillel Silver of Cleveland will be guest speaker.

## *'U' Meeting at Paris*

J. H. Seidelman, Universal vice-president and foreign head, who sailed on the *Normandie* yesterday for an extended trip abroad, will convene the company's European sales representatives in Paris shortly after his arrival there. On June 27 he will attend the annual C. E. A. convention at Blackpool, England, where he will screen "The Sun Never Sets."

## *Raise Camp Funds*

CLEVELAND, May 30.—Nat Wolf chief barker of the Cleveland Variety Club, announces that funds have been raised to send 350 children to summer camps this year.

# lidwest Wins Sears Drive, Coast Second

The 16-weeks sales drive named in nor of Gradwell L. Sears, general es manager of Warners, was won year by the Midwest district, it announced Monday by Carl serman, coordinator. Warners West bast and Central districts finished cond and third, respectively.

Sharing in the $25,000 prize money e the following:

First Prize: Rud Lohrenz as head the Midwest District; branches in is district receiving cash prizes are: icago, Tom Gilliam, Mgr.; Minneolis, Clarence Olson, Mgr.; Milukee, R. T. Smith, Mgr.; St. Louis, all Walsh, Mgr.; Des Moines, A. . Anderson, Mgr.; and Omaha, Sid bse, Mgr.

Second Prize: W. E. Callaway, West past District Manager, and the folwing exchanges: Salt Lake City, m. F. Gordon, Mgr.; San Francisco, Shmitken, Mgr.; Portland, V. ewart, Mgr.; Denver, E. A. Bell, gr.; and Los Angeles, N. H. ower, Mgr.

Third Prize: Robert Smeltzer, Cenal District Manager; and the folwing branches: Pittsburgh, Harry ed, Mgr.; Detroit, F. E. North, gr.; Philadelphia, W. G. Nansell, gr.; Cincinnati, Ralph Kinsler, gr.; and Cleveland, H. J. Ochs, gr.

With the announcement of the winrs, Leserman also revealed that this ar's Drive, after the final tabulan of figures, was by far the most ccessful in the history of the comny, topping last year's Drive by 25 rcent. The final week of the Drive ached a new high with nearly two llion dollars in billings recorded.

Towards the end of the Sears Drive riod, Rud Lohrenz was promoted to strict head of the newly formed airie District. However, the Sears rive results were tabulated accordg to the previous alignment of six stricts, with Lohrenz heading the idwest contingent.

Ben Kalmenson, Western and Southn sales manager, won a personal t of $1,000 from Roy Haines, Eastn and Canadian sales head, on the sults of the Sears Drive, in which almenson's territory won two out the three prizes offered.

## lold Funeral Rites For Samuel Berman

Funeral services were held Mony for Samuel I. Berman, 64, former hibitor, who died Friday at United ospital, Port Chester. Burial was Greenwood Union Cemetery, Rye. At one time he operated the Walker d Senate in Brooklyn, retiring in 29. He was part owner of the eatre buildings, now under lease to andforce. Survivors are Mrs. Marret O'Brien Berman and a son, anley J., employed by Western ewspaper Union.

### C. H. Innes, Lawyer, Dead

Boston, May 30.—Funeral services re held here yesterday for Charles Innes, 68, father of Hiller Innes, ramount home office production anager.

## Wrong Station

**Col. H. A. Cole, president of Allied States, has a complaint against the Astor Hotel.**

**He had planned to leave Sunday night for his home in Dallas, after attending the N. Y. Allied convention here, and had the hotel buy his ticket.**

**When he arrived at Pennsylvania Station to catch an 8:35 train, he discovered he was at the wrong station. He rushed to Grand Central Station, to find the last train for Dallas had left a half-hour earlier. He finally got away Monday night.**

# Smith Forced Out In IATSE Dispute

Los Angeles, May 30.—Resignation of Harold V. Smith, I.A.T.S.E. representative in charge of the Hollywood office, brought no apparent solution today of the fight between International officers and leaders of Studio Technicians Local 37.

Smith's resignation was demanded by Local 37's minority leaders. Stephen B. Newman was named to succeed him as the first step of the move to push the campaign to divide the local into five studio units. Newman organized Local 37 in 1935.

Meanwhile, trial of the Superior Court action in which Joseph Carpenter and other deposed local leaders seek to regain possession of their offices, premises and about $90,000 in cash continued yesterday. Smith was a witness in the plaintiff's attempt to show that the I.A.T.S.E. officers took a three-year lease on quarters here in 1936. A. Brigham Rose, attorney for Carpenter and others, declared this indicated "conspiracy of International officers to maintain a long state of emergency" under which autonomy of the studio locals was suspended.

Some time this week Rose and International attorneys will go to Tucson where George E. Browne, International president, will be questioned in connection with the suit.

## Seek Hoyts Merger With Greater Union

(Continued from page 1)

five-year agreement. The two formed General Theatres as an outside company with theatres in principal cities. Although the Hoyts-Greater Union combine agreement expired in December, 1937, General Theatres was not affected and continued under 50-50 ownership.

General Theatres includes operations in Sydney, Melbourne, Adelaide, Brisbane and Perth. During the period of the Hoyt-Greater Union pool, General Theatres acquired several houses i principal cities, including key city first runs.

## Turrou to London

Leon G. Turrou, adviser on Warners' "Confessions of a Nazi Spy," sailed yesterday on the *Normandie* to assist in the London opening of the film at the Warner Theatre June 9.

# Hearings Set June 5 on RKO Extensions; Validity Challenged

Atlas Corp., proponent of the RKO reorganization plan, next Monday will apply to the Circuit Court of Appeals for dismissal of the appeal of Ernest W. Stirn from confirmation of the plan.

This was disclosed Monday during argument before Senior Circuit Court Judge Learned Hand on request of John S. Stover, attorney for Stirn, for an extension of time to file his brief.

Judge Hand expressed doubt whether previous extensions given to Stirn had been valid and set June 5 as the date for a three-judge court to pass on both the application for an extension and the counter move for a dismissal.

Previous extensions were attacked on the ground that only a District Court judge had the right to grant them, and Judge Hand stated that if this were so, a "dismissal of the appeal would be in order."

Two other appeals from the confirmation by other parties will not be affected by the decision.

## Warners Reports Profit of $1,665,888

(Continued from page 1)

riod in the preceding year was $53,958,988.78.

The net profit for the latest period is equivalent to $16.50 per share on 103,107 shares of preferred stock outstanding on Feb. 25, 1939. Dividends in arrears as of March 1, 1939, amounted to $26.95 per share. After allowance for current dividend requirements on the preferred, the net profit is equivalent to 39 cents per share on 3,701,090 shares outstanding (after deducting shares held in treasury) at Feb. 25, 1939.

### $40,000 of $6,196,000 Debentures Deposited

Approximately $40,000 of $6,196,000 Warners' outstanding debentures have been deposited for exchange for the new 1948 series since April 28 when notice of redemption was given. The remainder of the original issue of $25,534,000 had previously been deposited. The outstanding debentures must be surrendered for exchange before June 28 and for payment before June 29.

# Film Business Up In Britain, Says Pommer

Improved prospects for British production are in view now with more pictures in preparation at London studios than have been projected there in months, Erich Pommer reported on his arrival in New York on the *Normandie* Monday.

Pommer, who came here to attend the Paramount national sales convention in Los Angeles next week, will discuss a new producing-distributing deal with the company while here. His fourth and final picture on his current contract with the company will go into work in July and is scheduled to be delivered around Dec. 1. The picture is "The Admirable Crichton," starring Charles Laughton. Pommer brought a print of "Jamaica Inn," his third production for Paramount. He hopes to negotiate a new two-year deal for five pictures, he said.

Pommer praised British production facilities, asserting that they are as good as Hollywood's, while on a smaller scale. He said he would continue to work at Elstree.

He said that in the event of war, there would be no British film industry "for the first few months, at least."

## Television For Key Cities Para's Hope

(Continued from page 1)

bourn as president to operate its television transmitters and produce program material.

### Paramount Suit Involves DuMont

Suit for an undisclosed figure was filed Monday in the N. Y. Supreme Court against Paramount Pictures, Inc. Stanton Griffis, and Henry A. Schatzkin and Mortimer W. Loewi, trading as Schatzkin, Loewi & Co., by Blanche W. Laurence and Jules C. Leeds, executors of the estate of Abram L. Leeds, and the firm of Stear and Leeds.

No details of the suit were available, but it probably involves purchase by Paramount of a 50 per cent interest in the DuMont Television Co. Leeds owns an interest in the company and claims part of the purchase price, it is understood.

Ask your Photophone representative about the sensational
New RCA PHOTOPHONE
MAGIC VOICE of the SCREEN
with Rotary Stabilizer PLUS SHOCK PROOF DRIVE!
Designed for any theatre—regardless of size
PHOTOPHONE RCA HIGH FIDELITY SOUND

# NBC Renewals Hit $8,262,401 In Single Week

NBC has signed $8,262,401 in renewals in the past week. They include contracts of two of NBC's heaviest spenders, Procter & Gamble and General Mills, whose renewals contribute more than $6,000,000 to the week's total. The accounts are:

American Tobacco Co., gross of $254,800; Jergens-Woodbury Co., $159,965; Procter & Gamble, $5,464,836; Bristol-Myers Co., $840,320; General Mills, $1,442,480 and George Washington Coffee, $100,000. The agencies for the above accounts are, respectively, Lord & Thomas, Lennen & Mitchell, Young & Rubicam, Blacket-Sample-Hummert, Compton Co., Cecil & Presbry.

George H. Frey, network salesman, has been appointed sales service manager of the eastern division, assuming the duties of I. E. Showerman, who has been promoted from assistant eastern sales manager to eastern sales manager.

## *Will Present Paley Award Here June 6*

Arrangements have been completed for the presentation of the William S. Paley Amateur Radio Award to Wilson E. Burgess on June 6 at the Hotel Pierre. Members of the Army, Navy, Coast Guard, Red Cross, radio and the press will participate.

Burgess was selected for the award because of his heroism in setting up equipment during the New England hurricane of September, 1938, and remaining on the air for 56 hours without a break. He is the third recipient of the Paley award.

## *Gardner to Head Lux's New Show*

J. Walter Thompson is scheduling a large variety show headed by producer Ed Gardner as emcee to replace the Lux "Radio Theatre," which shortly leaves the air for the summer. Gardner recently made a hit on the "So This Is New York" series over CBS.

## *WFBM Sale Set*

INDIANAPOLIS, May 30.—Negotiations have been completed for sale of WFBM, CBS outlet owned by the Indianapolis Power and Light Co. to Harry M. Bitner, of Pittsburgh, former general manager of Hearst Newspapers. F.C.C. confirmation is awaited. Harry M. Bitner, Jr., will operate the station, which has 5,000 watts daytime, 1,000 night.

## *Close Deal on WHN*

Television Training Corp. has entered into a 13-week contract with WHN for the broadcasting of five minute talks every Sunday.

## *Ruppert to WSAI*

CINCINNATI, May 30. — Dewey Long, manager of WSAI, has appointed Richard A. Ruppert promotion manager, succeeding R. W. Gardner, who joins the WSAI sales staff.

# BANNER LINES

**By JACK BANNER**

**SIGN-ON** . . . In the face of all sales arguments, Buick Motor Co. could not be budged to take on the Baer-Nova fight, which is why RCA belatedly signed to sponsor the brawl. Buick's last two fight broadcasts were fizzles because in each fight the lights were doused after a minute or two of action. Watch and see who sponsors the forthcoming Galento-Louis bout. It'll be "RCA all the way" because most likely no one else will be found willing to tempt the fates sponsoring a melee that threatens to be ended with one punch.

▼

**AMBITION . . . Edmund Goulding, Warner director now in town, is nursing an unfulfilled ambition. He'd like a fling as one of the judges on "Information Please."**

▼

**GOOD NEWS** . . . Helen Strauss of Benton & Bowles is recovering nicely from her breakdown but will not be back to work until fall.

▼

**BAND STAND** . . . NBC press accused us of throwing a curve when we said it had fallen asleep on the Day-Montanez fight. Now it fanfares the dance bands that will be heard on its networks, listing almost two score orchestras. Absent from the list, although scheduled to play, is Jimmie Lunceford, one of the "big 10" of popular music.

▼

**VOYAGER . . . John Steel, Mutual's London and foreign representative, is coming to New York on the new *Mauretania* to visit Mutual offices here.**

▼

**PERSONALS** . . . May Robson will speak from Hollywood on "My Lucky Break" program Sunday, following a dramatization of her career. . . . Walter Huston will be the featured guest on Bing Crosby's show tomorrow. . . . John Chapman and Irene Kuhn sign "30" to their Loft Candy Co. show on WOR next week, but they'll be back in the fall. . . . Mildred Bailey will attempt a commercial air comeback this summer. . . . CBS' "March of Games" has been sold to a candy company and will take up part of the time occupied by the Horn & Hardart show, which is going NBC.

▼

**IT STILL HAPPENS** . . . The script called for a battle scene and Announcer Vinc Palmeri of WELI fired a couple of blanks out of an open window. In a jiffy the cops arrived in answer to a telephone call reporting someone being murdered.

▼

**BIG BUSINESS . . . There has been printed comment about Jack Benny just signing a new long-term contract for $15,000 a week. Apparently those who carried the report forget that Benny's current contract, at $10,000 a week, still has more than a year to run.**

▼

**NEWS** . . . RCA "Magic Key" will give up its long-term Sunday afternoon spot, and starting June 16, will be heard from 8 to 9 P. M. Program that night will feature Rudy Vallee, Tyrone Power from Hollywood, and a pickup from Norway for Sonja Henie. This settles two current theories about "Magic Key"—(1) that it would leave the air altogether, (2) that it would continue, but under a change of format.

▼

**TIP** . . . NBC's contract with the 20th Century Sporting Club expires this week and will not be renewed until some time in October. The network, therefore, is wide open for prize fights and is trying to effect tieups with independent promoters.

▼

**TELEVISION . . . RCA television cameras were in action for four hours yesterday televising the Memorial Day parade.**

▼

**SCOOP** . . . Recently WNEW and International News set up a special system of direct telephone wires for coverage on "flash" news when wires at the station were closed. Using the system for the first time the past Sunday, WNEW scored a clean beat with first news of the sinking of the excursion boat in the East River.

▼

**MUNCHAUSEN** . . . Hardly an evening goes by now but that a number of World's Fair visitors come to the networks headquarters and by dint of hard talking attempt to gain admission to a broadcast. In the main they are turned down, of course, but occasionally they tell such admirable lies that the bars are let down. Prize-winner the other night was the chap who was obviously from the sticks, but who affected a British accent, said he had just arrived from England and was returning the very next day, and he simply had to see the Eddie Cantor program. "You came to America for a one-day visit?" he was asked incredulously. Without batting an eyelash, he answered: "Right-o." He got in to see the program.

▼

**SIGN-OFF** . . . The SAG show curls up Sunday for the season. The program will be loaded to the teeth with stars for the sign-off. Tyrone Power, Dick Powell, Marie Wilson, Lionel Stander, George Murphy, Jean Hersholt, Reggie Gardner, with Sid Lanfield as producer. Though it was never a really popular show by Crosley standards, the sponsors are nevertheless returning it to the air this fall.

# FCC Hearings For June, July Are Scheduled

WASHINGTON, May 30. — Hearing dates for broadcasting applications have been assigned tentatively by the Federal Communications Commissi as follows:

June 1: Application of WJMS, Inc. for a new 1,370-kilocycle, 100-watt station at Ashland, Wis.

June 2: Application of WCOU Lewiston, Me., for increase of day power from 100 to 250 watts.

June 15: Applications of King-Trendle Broadcasting Corp. for a 1,010-kilocycle, 250-watt station at Grand Rapids, and WSBT, South Bend, Ind., for change for frequency from 1,360 to 1,010 kilocycles, extension of time from sharing to unlimited and increase of power from 500 to 1,000 watts.

June 19: Application of WJBW New Orleans, for extension of time from sharing to unlimited.

June 30: Application of KALE Portland, Ore., for increase of day power from 1,000 to 5,000 watts.

July 12: Applications of KUTA Salt Lake City, for change of frequency from 1,500 to 570 kilocycles and increase of power from 100 to 1,000 watts, and KFIO, Spokane, for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts.

The commission has ordered hearings, at dates to be designated later on a number of applications, including those of WCBS, Springfield, Ill., for change of frequency from 1,420 to 1,290 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts night, 1,000 watts day WBNY, Buffalo, for extension of time from sharing to unlimited, and the Union Broadcasting Co. for a new 1,370-kilocycle station at Scranton with 100 watts night, 250 watts day.

Rehearings will be granted on the applications of WAPO, Chattanooga Tenn., for change of frequency from 1,420 to 1,120 kilocycles and increase of power from 100 watts night, 25 watts day, to 500 watts night, 1,00 watts day, and WJBO, Baton Rouge La., for increase of power from 50 to 1,000 watts.

The commission has received an application from KXL, Portland, Ore. for change of frequency from 1,420 to 730 kilocycles, extension of hours from sharing to unlimited, and increase o power from 100 watts night, 25 watts day, to 10,000 watts.

## *New Lewis Sponsors*

Cadillac Motor Co. has purchase sponsorship of the Fulton Lewis commentaries, which are presented fiv times nightly over Mutual. Sponsorship, however, is confined to KHJ an the southern California outlets of th Don Lee Broadcasting System.

## *Plan Radio Company*

SCRANTON, Pa., May 30.—Michae J. and Francis Lavelle and Geral White have filed application for state charter, planning to operate radio station here. They plan t capitalize at $25,000.

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DISTRIBUTORS OF AM., INC
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Indis
to th
Pictu
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 45. NO. 105 NEW YORK, THURSDAY, JUNE 1, 1939 TEN CENTS

# Neely Bill Wins Approval From Senate Committee

### *Measure Assured Vote Before Adjournment; Barkley Absent*

By BERTRAM F. LINZ

WASHINGTON, May 31.—Favorable report on the Neely anti-block booking bill was given today by the Senate Interstate Commerce Committee, which moved to clear its slate of legislation in anticipation of a mid-July adjournment of Congress.

Action on the Neely bill followed a subcommittee meeting this morning at which a two-to-two-vote served to bring block booking before the full committee this afternoon.

**Barkley Doesn't Attend**

It is understood Senator Tobey of New Hampshire, who attended none of the hearings on the bill, voted with Senator Neely to report the measure to the committee favorably.

Chairman Smith of South Carolina and Senator White of Maine voted against it. Senator Barkley of Kentucky, fifth member of the subcommittee, did not attend the meeting.

**Neely to Write Report**

At the session of the full committee it was decided to let the bill go to the Senate for a vote, and Senator Neely was instructed to write the report.

While details of the meeting were not disclosed, it was said that considerable opposition was presented but it was finally agreed that, the Senate having voted the measure last session, it should have the final word.

## ix-Month Net rofit for 'U' s $739,578

### *ompares With $588,285 Loss Last Year*

Universal's net profit for the six nths ended April 29, last, was 39,578, J. Cheever Cowdin, chairan of the board, reported yesterday. esult for the first half of the comny's current fiscal year is before ederal income taxes. For the correonding period last year, Universal ported a loss of $588,285.

Net profit of $581,587 was reported r the 13 weeks ended April 29, last, hich compares with a net loss of 99,487 for the 13 weeks ended April , 1938.

**After Eight Years of Losses**

Results mark the third consecutive arter during which Universal has erated in the black after eight years losses averaging about $1,000,000 nually.

Company went into the black during e last quarter of the fiscal year ded Nov. 1, 1938, about eight months ter the new Universal management ok office with Nate J. Blumberg president and William A. Scully charge of sales.

Operations for the current month e reported to be continuing at a ofitable level although somewhat bew the level for the second quarter.

## eo Abrams Heads 'U' Shorts Sales

William A. Scully, general sales anager of Universal, yesterday appointed Leo Abrams, for many years anager of Universal's Big U exange in New York, as short subject les manager.

It is a newly-created position, since ort subject sales have been under cully's direct supervision since he ok over as general sales manager. rior to that, Edward Bonns was ort subject sales head.

Scully has named David A. Levy, rmer M-G-M New York branch anager, to Abrams' former post as ig U exchange manager.

Abrams has been with Universal for 3 years, starting in New York, going to Kansas City as branch manaer for many years and returning to ew York.

No decision has been made as yet n a replacement for Levy at M-G-M.

## Closings Set For Quebec; Blame Taxes

QUEBEC, May 31.—This city will be without film entertainment by Friday unless the deadlock between the theatre owners and municipal authorities over the 10 per cent increase in amusement taxes is broken.

Faced with the necessity of increasing prices to meet the 22½ per cent tax, owners of all 11 local film houses announced they will close their doors on Friday unless a compromise is effected. A steady decrease in attendance has been reported since the increase became effective.

Proprietors met with city officials this afternoon, but the latter refused to consider abrogation or modification of the new tax.

Representatives of the Capitol, Empire, Cartier, Cambrai, Victoria, Canadaien and Cinema de Paris theatres, at the meeting, announced they would close their doors Friday night.

American and British films are shown exclusively in five houses. Three show only French films and the others mixed bills.

### *Bill Legalizing Fight Films Gets Approval*

**Washington, May 31.—Barbour bill to legalize interstate transportation of fight films was approved today by the Senate Interstate Commerce Committee.**

**There was no opposition to a favorable report, which recommends repeal of the present ban. Senator Lundeen of Minnesota, chairman of the subcommittee which last week held hearings on the measure, will probably write the report.**

## Film Trade Awaits Jap, Manchu, Spain Market Regulations

New trade regulations which will decide the fate of three important international markets for American distributors will be made known within the next few months, it was disclosed during a joint interview yesterday with Jack Segal, manager of foreign exchange operations for Columbia, and

*(Continued on page 7)*

## *Late News Flashes*

LOS ANGELES, May 31.—Demand by Superior Judge Willis that the charter of Studio Technicians Local 37, I.A.T.S.E., be produced with bank deposit records of William Bioff, showing $100,000 in his account on June 25, 1937, featured the trial today of the suit in which local officers are seeking restoration of their autonomoy. The charter apparently disappeared when the international took over the local's premises March 13.

HOLLYWOOD, May 31.—Gradwell L. Sears, Warner distribution chief, announced upon arrival today that increases of 25 per cent in advertising budgets have been set for June, July and August releases to boost hot weather business.

CHICAGO, May 31.—John Barrymore was placed in an oxygen tent this afternoon and all performances of his play, "My Dear Children," have been cancelled until Monday. He is suffering from a heart attack.

SPRINGFIELD, Ill., May 31.—The Illinois House today gave its third reading of Rep. Sandquist's bill seeking 15-minute intermissions between all movie shows every two hours.

ROCHESTER, Minn., May 31.—Leo Spitz, Chicago attorney and former president of RKO, is recovering nicely after undergoing an operation at the Mayo Clinic. It is expected that he will return home in two weeks.

## Richardson Looms As RKO Treasurer

Charles E. Richardson, former vice-president and treasurer of Fox Film, and a reorganization trustee of Paramount Publix, is regarded as the likely choice of reorganization principals as treasurer of RKO.

Richardson has taken on active part in film affairs since withdrawing as a Paramount director early in 1936. He has continued active in financial affairs, however, and is highly regarded by influential RKO creditors.

No candidate was proposed for treasurer of RKO in the list of officers and directors submitted to Federal Judge Bondy for approval some weeks ago by the reorganizers.

# 8 Majors Ask For Lenrose Suit Details

Application by the M.P.P.D.A. and the eight major companies for a bill of particulars detailing the complaint of the Lenrose Amusement Corp., operator of an independent theatre in Newark, N. J., was filed yesterday in the U. S. District Court.

The request, which will be heard June 23, is in reference to a suit for $150,000 damages, charging violation of the Sherman Anti-Trust Act by the defendants.

### Louis Marks, Universal Settle $15,000 Suit

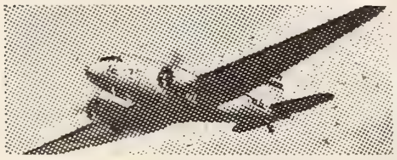
Suit for $15,000 against Universal Pictures Co., Inc., by Louis Marx, former Universal foreign sales representative, was revealed in the N. Y. Supreme Court when a stipulation settling and discontinuing the action for an undisclosed figure was filed yesterday.

No details of the suit were on file, but it was learned that Marx, who had been employed from 1925 to 1938, sought to recover the difference in his salary caused by the devaluation of the dollar from 1933 to 1938.

### 20th-Fox Answers Song Writer's Suit

Twentieth Century-Fox Film Corp. yesterday filed its answer in U. S. District Court denying charges of Robert Brooker Wyatt in his suit against 20th-Fox, Mack Gordon, Harry Revel and Leo Feist, Inc. Wyatt claims song infringement.

FLY TO THE GOLDEN GATE!
VIA GRAND CANYON BOULDER DAM!



Less than a Day—By TWA!

Double your fun—when you travel to the San Francisco Fair! Fly TWA, and see Grand Canyon and Boulder Dam—2 scenic thrills you mustn't miss!

Only TWA offers you such a trip! Latest departure from New York—allows full evening at home.

LOS ANGELES or SAN FRANCISCO—*Overnight* via Skysleeper! Board TWA's "Sky Chief" 5:30 p.m.—arrive Los Angeles early next morning ... in San Francisco at 9:45 a.m.

*Schedules Shown are Standard Time*

PHONE TRAVEL AGENT or MU 6-1640
TRANSCONTINENTAL & WESTERN AIR, INC.
70 E. 42nd St. . . . Air Desk, Penn. Station

FARE ONLY $149.95

*10% Discount on Round Trips!*

TWA

SHORTEST, FASTEST COAST-TO-COAST

# Purely Personal

**Archie Mayo, Hal Horne, Charles Stern, Arthur Willi, Phil Malcolm, Charles Bonn, William German, Charles Payne, Leonard Schneider, Ralph Poucher,** among those lunching at **Bob Goldstein's** Tavern yesterday.

•

**George S. Applegate,** managing director of the Western Electric Co. (Australia) Pty. Ltd., and **Mrs. Applegate,** are en route from England for a vacation here. They will return to Australia about July 1.

•

**Thomas Orchard,** associate producer of the March of Time, has been awarded an honorary Master of Arts degree by Hobart College from which he graduated.

•

**Leota Lane,** sister of **Rosemary, Priscilla** and **Lola,** was graduated last night from the Julliard School of Music. She spurns films and prefers an opera career.

•

**Joe Heppner** of Metropolitan Photo Service has returned from a four-week trip to the coast where he did special photographic work for Walt Disney.

•

**John Hampton,** former theatre advertising man in Oklahoma City, is in town discussing with architects the construction of his own theatre.

•

**M. J. Siegel,** Republic production head, left with his family last night for the coast after a 17-day West Indies cruise.

•

**Phyllis Fraser,** RKO player, is in New York on a visit to her aunt, **Mrs. Lela Rogers,** mother of **Ginger Rogers.**

•

**Maxwell Anderson** has arrived on the coast to do the screen play for the next production by **Leo McCarey** at RKO.

•

**Chester Morris** has been elected west coast regional vice-president of the Society of American Magicians.

•

**Pablo Cavallo,** co-owner of Lautaret and Cavallo circuit in Argentine, is in town from Buenos Aires.

•

**William Pine,** associate producer of "Union Pacific," is back on the coast after New York trip.

•

**Mildred Shay,** New York socialite, will make her film debut in "The Girl and the Gambler."

•

**Sigrid Gurie,** Scandinavian actress, has been given a five-year contract by Universal.

•

**Princess of Sarawak,** screen player, sailed for Europe yesterday on the *Manhattan.*

•

**Fred Wehrenberg,** St. Louis exhibitor, and Mrs. **Wehrenberg,** are in town.

**Gradwell L. Sears,** Warner general sales manager, is en route to the coast to line up advertising campaigns with **S. Charles Einfeld** and confer with **Jack L. Warner.**

•

**M. A. Levy** and **J. P. O'Loghlin,** present and former Kent drive leaders for 20th Century-Fox, respectively, will confer with **William C. Gehring,** central division manager, at the home office today.

•

**Julian B. Tuthill,** film editor of the *Hartford Times,* will supervise operation of the 250-seat Colony, renamed Conrose's Cinema City, in the Connecticut city.

•

**Jack Fairley,** Wollongong Theatres, Australia, and **R. R. Winship** of the Majestic, Phillipsburg, Kan., visited at RKO World's Fair lounge yesterday.

•

**Syros Perakos,** son of **Peter Perakos,** New Britain, Conn., exhibitor, has been named assistant manager of Warners' United States in Hoboken.

•

**Jack Schwartz** of the West End, Bridgeport, and **George Comden,** Fine Arts, Westport, have been named third degree Masons.

•

**Kathryn Hohn,** RKO player, has been renamed **Kathryn Adams.**

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

## *Vancouver Wins Drive*

Toronto, May 31.—The Vancouver branch was the winner in the Canadian Universal sales drive of 17 weeks. Calgary was second and Toronto third.

FLY
UNITED'S
MAINLINERS
TO
LOS ANGELES

Just overnight in the famous "Continental" and "Overland Flyer" Mainliner Sleeper planes. The distinguished way to Los Angeles. Finest meals aloft. Call United, travel agents, hotels.

UNITED AIR LINES PHONE MU-2-7300
58 E. 42nd St.

# Holiday Take On Broadwa Drop Off 30

Holiday business along Broad and in the neighborhoods was d to 30 per cent below last year. was estimated yesterday. Busin New Jersey was also badly h New England reported somewhat ter business although it was also low last year's grosses.

"Goodbye, Mr. Chips" continued do capacity business, however. timated gross for its second week the Astor was $16,000. "Captain Fu finished its first week at the Mu Hall with an estimated $75,000 continues there. At the Paramou "Union Pacific" drew an estima $28,000 in its third week and is h for a fourth. "Tell No Tales" op today at the Capitol. "Bridal Sui did an estimated $17,000 there. "Bl Alley" was withdrawn from the Gl after three days in its second w and "Charlie Chan in Reno" sub tuted. "Blind Alley" grossed an e mated $9,600 for the 10 days.

Legitimate stage houses found h day business fair but additional cl ings in the near future are expect Eleven shows which had matin Decoration Day found business o the average Saturday matinees, the evening grosses were off.

San Francisco, May 31.—"Inv tion to Happiness" grossed an e mated $3,500 when it opened at Paramount yesterday.

## *Honor Trotta Today*

Ampa promises "a riot of fun" the "Trottazapoppin'" luncheon m ing at the Astor today honoring V cent Trotta. Trotta is Ampa's o active charter member and is serving his 25th year in the indus John C. Flinn will be among speakers. This will be Ampa's fi meeting of the season.

## *Va. MPTO Meet June*

Roanoke, Va., May 31.—M.P.T of Virginia will hold its annual n summer convention at the H Roanoke here on June 12. Ma Walter W. Wood will welcome delegates at the business session the morning. A dinner dance will held in the evening.

MOTION PICTURE DAILY
*(Registered U. S. Patent Office)*

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When You're
In New York
WELCOME TO
WARNERS

## *Come on over and*
## SEE MRS. TURNER

...Or write her. She and her staff can help you pick the spots you'll want to see, the places you'll want to dine at, the shows you'll want to go to. Remember us when you make your plans for the World's Fair—and remember that Mrs. Turner will worry about the details... because every friend of *Warner Bros.* is a friend of hers.

WORLD PREMIERE!
DARRYL F ZANUCK
YOUNG
MR.
LINCOLN
HENRY FONDA
ALICE BRADY
LINCO
WORLD PREMIERE
DARRYL F ZANUCKS
YOUNG MR. LINCOLN
YOUNG MR. LINCOLN
FONDA
BRADY

*Faster than the camera's click.. Faster than the wi*

# "YOUNG MR. LINCOLN
# ALL-TIME BIG- MONE

I. N. P. Sound Photo of spectacular "Young Mr. Lincoln" world premiere at Springfield, Ill., that attracted nationwide attention.

*flash it.. the word has spread..*

# S ONE OF THE ICTURES!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

# Southeastern TOA Reelects Milton Moore

JACKSONVILLE, Fla., May 31.—Milton C. Moore was elected for his fourth consecutive term as president of the Southeastern Theatre Owners' Association, at the closing session of the two-day convention here.

Col. T. E. Orr was named treasurer, and Tom Brandon, secretary. Oscar Lam was reelected representative on the board of the M.P.T.O.A.

The trade practice code was the principal topic of discussion. Ed Kuykendall, M.P.T.O.A. president, analyzed the pact, pointing out that it offered a way for the industry to solve its own problems, without recourse to courts or legislation.

Earlier, Kuykendall had attacked the growing trend in Washington to meddle with business, and discussed the Neely block booking bill, which he said is opposed by 95 per cent of the country's theatre owners, because it is considered a step toward Government regulation.

Other speakers were Colonel Orr; Burton Clark, Wometco Theatres; Roy E. Martin, circuit operator of Columbus, Ga.; Richard Kennedy, Wilby-Kincy Corp.; Oscar Morgan, Paramount sales executive.

E. J. Sparks, head of Florida State Theatres, was host at a shore dinner. Guy A. Kenimer, of the Florida circuit, was in charge of convention arrangements.

## *Wanger Lists Five U A Release Films*

HOLLYWOOD, May 31.—Walter Wanger completed plans today for the five pictures he will make for United Artists release during the 1939-'40 season.

Titles are "Winter Carnival," "Whose Wife?" starring Loretta Young and David Niven, with Tay Garnett directing from the original by Gene Towne and Graham Baker; "House Across the Bay," starring Joan Bennett, Archie Mayo, director, story by Myles Connelly, screen play by Sarah Y. Mason and Victor Heerman; "My Personal Life," John Meehan's adaptation of Vincent Sheean's novel, and "Send Another Coffin," F. G. Presnell's new novel which Tay Garnett will direct.

## *Set R. I. Fee Hearing*

PROVIDENCE, May 31.—Rhode Island Supreme Court on June 5 will hear arguments on the petition of four Woonsocket theatres asking reversal of the action of the Woonsocket Police Commission increasing license fees from $12 to $30 weekly. Court action was sought by the exhibitors after appeals to the commission and city government proved ineffectual.

## *Dr. Millar Rites Today*

Private funeral services will be held today for the Rev. Dr. William Bell Millar, secretary of the Motion Picture Foundation of the United States of America, who died Tuesday at the Neurological Institute of a stroke. He was 73 years old.

# *Midwest Preview*

## *"Young Mr. Lincoln"*

*(20th Century-Fox)*

SPRINGFIELD, ILL., May 31.—With characteristic courage, Darryl Zanuck, in "Young Mr. Lincoln," offers a specially limited character study of the Great Emancipator. The story is devoted to a formative phase in the life of Lincoln. It is skillfully produced, artfully directed by John Ford and the roles are expertly enacted by a well chosen cast headed by Henry Fonda and Alice Brady.

There is nothing of a controversial political or social issue in this picture. It begins with the apprentice days of young Lincoln, in the law business, and it ends while Lincoln still is young.

Early scenes of New Salem and Springfield are shown. There are colorful countryside action sequences in the film. Romantic interest is quite subordinated but the picture has considerable humor and a flock of interesting characters. The camera work is very good.

Lincoln is seen as a fighter, as a rail splitter and as a lawyer. The contemplative, the witty and the physical sides of him are treated with considerable detail. His apperceptions are keenly delineated, but the way of his heart is left uncharted.

Correctly titled and being concerned mostly with the man himself in a single phase of his life, the picture represents a bold piece of showmanship. Its course at the box-office is to be watched with more than ordinary interest. This "Young Mr. Lincoln" is the forerunner of other Lincoln films to follow and it will be the guide for these.

There is only incidental reference to Ann Rutledge, Mary Todd and Stephen A. Douglas.

The Lincoln which has been created by Lamar Trotti, who wrote the screenplay, and brought to life on the screen under Ford's direction, has an air of worldliness about him, although he is still essentially a homespun character. All told, the plot is that of a backwoods murder trial, laden with sentiment and mob excitement.

As the young Lincoln, Henry Fonda, by his performance gains importance and prestige. Alice Brady has the role of Abigail Clay, mother of the two boys accused of murder. Her part is a substantial one and she fulfills its tender possibilities completely. Other players include Marjorie Weaver, Arleen Whelan, Eddie Collins, Pauline Moore, Richard Cromwell and Eddie Quillan.

Contained in this film is a plentiful supply of exploitation suggestions. At the Fox-Lincoln here in Lincoln's home town, where the picture was given its world premiere, the screen show was supplemented by the personal appearance of Marian Anderson, celebrated colored contralto.

The premiere was excellently managed and presented, with fitting dignity. It was the final festive event in a remarkable program which made this Memorial Day one of the greatest Lincoln days ever held.

Running time, 101 minutes. "G."*

---

*"G" denotes general classification.*

## *Two More 5-Boro Houses Join Strike*

Managers of two additional Five Boro houses yesterday joined the strike called Monday by Theatrical Managers, Agents and Treasurers Union to bring the total up to nine houses being picketed. A number of cashiers, ushers, doormen and matrons also have walked out in a sympathy strike.

Possibility of a union of the latter class of employes loomed yesterday. It is likely that the T.M.A.T. will assist in the organization although they will not be included in the T.M.A.T. Efforts to negotiate a settlement of the strike were started yesterday.

## *Rogers to Star Girl, 14*

HOLLYWOOD, May 31.—Charles R. Rogers, independent producer, today announced he will star Linda Ware, 14-year-old actress-singer, in "A Star in Manhattan," a story of New York autograph seekers being written by Dorothy Kilgallen and Jerry Horwin. Work starts in July.

## *Product Shortage Closes B & K House*

CHICAGO, May 31.—Balaban & Katz disclosed today that they will close the United Artists here on June 3, with shortage of top product given by circuit executives as the reason for the closing.

The house will remain dark until sufficient good product is available. No other B. & K. houses are scheduled to close. A show window for M-G-M and United Artists product, the United Artists has been hard hit of late, finding few pictures which could run more than one or two weeks. The theatre usually holds films three to six weeks.

## *Take Gregory Circuit*

CHICAGO, May 31.—Gregory Theatre Circuit, operating about 30 theatres in Illinois, Indiana and Wisconsin, will be taken over next week by Hub Stern and affiliates. The Stern group, formerly interested in Balaban & Katz when that circuit started, are local theatre veterans.

# 'Pacific' Hits $14,000 Lead In Twin Cities

MINNEAPOLIS, May 31. — "Union Pacific" easily outdistanced all rivals to get $9,000 at the State.

In St. Paul, "Union Pacific" also led, getting $5,000 at the Paramount.

Estimated takings for the week ending May 25:

### *Minneapolis:*

**"Women in the Wind" (W. B.)**
**"Saint Strikes Back" (RKO)**
**"Torchy Runs for Mayor" (W. B.)**
**"Chasing Danger" (20th-Fox)**
ASTER—(900) (15c-25c) dual bills, split week. Gross: $1,500. (Average, $1,500)
**"The Lady's from Kentucky" (Para.)**
CENTURY — (1,600) (25c-40c) 7 days. Gross: $1,900. (Average, $4,000)
**"Sergeant Madden" (M-G-M)**
GOPHER—(990) (25c) 9 days. Gross: $2,800. (Average, $2,500)
**"You Can't Cheat an Honest Man" (Univ.)**
ORPHEUM — (2,900) (25c-40c) 6 days. Gross: $4,500. (Average, $4,800)
**"Union Pacfic" (Para.)**
STATE—(2,300) (25c-40c) 7 days. Gross: $9,000. (Average, $4,400)
**"Grand Illusion" (Foreign)**
**"Prison Without Bars" (U. A.)**
WORLD—(400) (25c-55c) "Illusion, 4 days, 2nd week, "Prison," three days. Gross: $1,200. (Average, $1,400)

### *St. Paul:*

**"Rose of Washington Square" (20th-Fox)**
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $2,500. (Average, $3,200)
**"Union Pacific" (Para.)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,000. (Average, $4,000)
**"Dark Victory" (W. B.)**
RIVIERA—(1,000) (25c-40c) 7 days, 2nd week. Gross: $1,800. (Average, $1,800)
**"Hound of the Baskervilles" (Univ.)**
**"The Flying Irishman" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,500)
**"Dark Rapture" (Univ.)**
WORLD—(400) (25c-35c). Gross: $1,000 (Average, $700)

## *Bert Reisman Says S. A. Not Neglected*

Assertions that lost European revenue may be recouped in Latin America by means of more intensive exploitation of that market must be taken with a grain of salt, according to Bert Reisman, RKO sales representative for Peru and Bolivia, who arrived early this week to attend the company's national sales convention here June 19-22.

"Statements of that kind," Reisman pointed out, "imply first of all that Latin America has been a neglected market. That, quite obviously, is not true. We are and have been doing business everywhere that there is business to be done."

Reisman reported the demand for Spanish language pictures is increasing in subsequent run theatres and in the provinces in South America.

## *Cole Optimistic*

**Col. H. A. Cole, president of Allied States, is optimistic over theatre business prospects for the next few months. On his latest trip he contacted exhibitors in several centers, and on the basis of what was reported to him, he feels that grosses will be on the upgrade this summer and fall. Recent films have been of box-office proportions, he says.**

# What's What In Hollywood; Casts Chosen

Hollywood, May 31.—Paramount s extended the contract of Dorothy mour, now playing in "Disputed sage" . . . Among vehicles sched- at Warners for Edward G. Rob- son, is "The Prince of Imposters," ory of the life of James Addison avis who in the last century per- trated a huge land fraud in Arizona d surrounding states . . . Paramount ll star Madeleine Carroll in afari," laid against the background the South African veldt.

Charles Bickford's next picture Republic will be "Jungle Gold," ory of a South American rubber ron, from an original by Louis evens and Garrett Lloyd . . . Re- blic has signed the Weaver others and Elviry, hillbilly team, four pictures, first of which will "In Old Missouri" and the sec- d, "Jeepers Creepers" . . . Robert ung and Florence Rice have the ds in "Miracles for Sale," which d Browning is directing at M-G-M . A switch in casting places Pris- la Lane in the feminine lead of ust Be My Destiny" opposite John rfield at Warners and Margot evenson, who worked a week in role opposite Garfield in the thcoming "20,000 Years in Sing ng," in the spot formerly assigned Ann Sheridan.

Warners' "The Return of Dr. X" ich was announced for some time a Boris Karloff vehicle, has rted shooting—but without Kar- ff in the cast. With the picture en a larger budget, Humphrey gart replaces Karloff, and others the cast are Wayne Morris, Rose- ry Lane, Lya Lys, Dennis Mor- n and John Litel. Vincent erman, writer recently made a di- ctor, is guiding the picture.

## ilm Trade Awaits Japan, Spain Rules

(Continued from page 1)

M. Bergher, manager for Japan, o arrived over the holiday.

Markets for which new regulations being drawn are Japan, Man- ukuo and Spain. New Japanese reg- tions are expected to be established Sept. 1 and are not expected to "severe." Manchukoan regulations l be worked out by Government of- als during the next few months lowing conferences with a delega- n of American managers consisting Richard Speirman of RKO, Wil- m Piper, Paramount; Jules Ber- n, M-G-M, and Joseph Goltz, ited Artists.

Bergher, who is here for about two eks of home office conferences, re- ted that the Manchukoan market still good and is dissatisfied with the panese and Chinese product being nished it by Government monopoly.

Segal, who spent seven months be- een Europe and India, said that new ulations governing the opening up the Spanish market will be made own in a month. Segal opened new nches in France and Belgium which expected to recoup the Central ropean market losses.

# BANNER LINES

### By JACK BANNER

**TELEVISION** . . . NBC will televise the Max Baer-Lou Nova heavyweight prizefight, which takes place in the Yankee Stadium tonight. It will be the first such attempt in this country, although in England the telecasting of a prizefight is now commonplace. The televising will be on a purely experimental basis, which means that NBC is not paying a fee to Promoter Mike Jacobs.

Several problems in connection with the event are still bothering NBC engineers, who spent most of yesterday in the Stadium grounds inspecting the layout. A telescopic lens is not practicable on a television camera, and so valuable ringside space will be taken up by the camera equipment, a situation which is causing Jacobs no end of unhappiness.

The lighting problem is also bothering television experts. Where to place the lumbering mobile unit was easy, in the far reaches of the Stadium where the outfielders roam for baseballs.

▼

**ANSWERING FATHER COUGHLIN** . . . Radio friends of Rev. Thomas L. Harris and Rev. John F. Kiernan, both of whom are engaged in answering Father Coughlin's social, political and racial doctrines and theories, over WCNW and WEVD respectively, are starting a campaign to obtain bigger air outlets for the ministers. WMCA is considered a possibility for at least one of the speakers.

▼

**STRANGE AS IT SEEMS** . . . WNEW reports two peculiar commercial offers received within the past several days. The first caller wanted to advertise a reward for the return of a drowned body, and yesterday a bond salesman who lost a bagful of bonds wanted to buy spot announcements to advertise his loss. The station referred both callers to the classified columns of the newspapers.

▼

**THRILL** . . . A. L. Ashby, vice president and general counsel of NBC, will enjoy a unique experience June 18 when, as an alumnus of Olivet College, he gives the commencement address at the same time that his son John, receives his bachelor's degree, and his father, John Henry, receives an honorary doctor of laws degree.

▼

**PERSONALS** . . . Phil Baker's sponsor, Atherton Richards, president of the Hawaiian Pineapple Co., sails for Honolulu today after spending several weeks here. . . . Walter Barber, space buyer at the Compton agency, marries Florence Gaffney, also with Compton, tomorrow. . . . Charles N. Van Why, formerly of Young & Rubicam, has joined Compton as a member of the traffic department. . . . Bob Wilkinson of Benton & Bowles the father of a baby girl. . . . Ross Worthington, head of the research department of the air show, "We, the People," sailed on the *Normandie* Tuesday for a vacation in England and France. . . . Benay Venuta probably will be signed for the Cel-Ray commercial on WOR, today. . . . Carlos Franco, head of station relations at Young & Rubicam, is back at work after a six months' absence brought about by a general collapse. W. B. Lewis, CBS vice president, due back any day from his trip to Hollywood. Lou Ruppel, CBS press head, to Washington yesterday to attend a press dinner.

▼

**TIME RENEWAL** . . . Andrew Jergens Co., which recently renewed the contracts of Walter Winchell and Charles Boyer, yesterday reserved NBC time for another year for both programs on which the commentator and actor appear.

▼

**HOLLYWOOD SHUTDOWN** . . . Tom Wright of the Hollywood office of Young & Rubicam, due in town in a couple of days to work here for the summer. Hollywood office of the agency will practically be shuttered for the summer, what with Jack Benny, Lum 'n' Abner, Silver Theatre, Screen Actors' Guild and the Al Pearce programs departing for the season. Only Y & R program to come from Hollywood this summer will be the Matty Malneck show, and there is a possibility that even this one will come to New York.

▼

**HOBBY LOBBY PRAYER** . . . Dickering still going on about the summer status of Dave Elman's "Hobby Lobby." There is an odd chance that it may be held over for the summer, but in any event, the show in all probability will come back in the fall, for its current sponsor.

▼

**NEW BUSINESS** . . . Berkey & Gay Co. has signed to sponsor two morning programs on WABC—"Tune for Today" and "Odd Side of the News." Contracts are effective immediately.

## Monogram Winners

Edward Bilek, Jr., Chicago, and Mrs. E. C. Armbruster, Oak Park, Ill., winners of Monogram's Chicago "wisecrack" contest for "Streets of New York," will arrive here Saturday as guests of Monogram for four days. With them will be Bill Kennedy and Ray Serafin, winners of a newsboys' contest conducted at the same time in cooperation with the Chicago *Evening American*.

## Edit Venezuelan Film

"La Gran Sabana" ("The Great Prairie"), a three-reel film of the unexplored interior of Venezuela, is being edited and scored here. It was produced by the Capuchin Mission of El Coroni with the cooperation of the Venezuelan Government. Father Baltasar de Matallana, who is negotiating a release, is completing the commentary in Spanish and English.

# Pennsylvania Film Bills Die In Legislature

Harrisburg, Pa., May 31.—The film industry came through the state legislative session unscathed, as a score of bills relating to the business went into discard when the legislature adjourned yesterday.

Most important of the measures which failed to be enacted were the theatre divorcement bill, prohibiting producers or distributors from operating theatres, and an anti-Ascap law which would have prevented the music licensing society from operating within the state.

Among other measures which were sidetracked were: Repeal of the local option Sunday film law, which would have restored the old blue laws; ban on attendance of children under 15 on Sundays; admission tax of one cent on each 25 cents of admission; compulsory display of the American flag and singing of the national anthem at all performances; stricter regulation of theatre electrical devices.

Other unsuccessful bills provided that as many licensed projectionists be employed as there are projection machines in the theatre; that all projectionists have at least 10 years' experience; that admissions on Sundays and holidays be no higher than on weekdays.

### Anti-Ascap Law Doomed in Michigan

Chances of enactment of an anti-Ascap law in Michigan died with the adjournment of the state legislature. The measure, designed to curb the operations of the society in the state, was introduced early in the session but no action was taken.

Ascap will resume its court battle to test the constitutionality of the Florida statute shortly after June 18, date on which the state is scheduled to answer the Ascap complaint. Case, which has already been to the U. S. Supreme Court on preliminary technicalities, will be docketed for trial following filing of the state's answer.

## Hartford Party Sunday

Hartford, Conn., May 31.—Local division of the Warner Theatre Club will hold a dinner-dance at the Hilltop House on Sunday with several of the New Haven club members as guests. The Hartford group includes managers from Hartford, Manchester, Bristol and New Britain.

## Encyclopedia Cites Theatre in Chicago

**Chicago, May 31.—Esquire, new streamlined theatre here operated by H. and E. Balaban, is the subject of a full page of pictures in the latest issue of the Encyclopedia Britannica. The theatre, seating 1,400, is represented as an outstanding example of modern motion picture architecture. W. L. Pereira was the architect.**

HE'S GIVING 'EM
ACTION

### ... at RADIO CITY MUSIC HALL

"A swashbuckling story of adventure . . moves quickly and excitedly across the screen", says New York Daily News. Beats every attraction in town. Held over second big week.

### ... at the CALIFORNIA, SAN DIEGO

Breaks all time attendance and money record. Moved over to Orpheum for continuous first run.

### ... at LOEW'S STATE, NEW ORLEANS

Hits 137 per cent of average as first four days equal normal weekly gross for theatre.

### ... at the ORPHEUM, MONTREAL

Joe Lightstone, owner of the Orpheum, reports second biggest opening of year. Held over second week of indefinite long run.

**HAL ROACH** *presents*

# CAPTAIN FURY

*starring* **BRIAN AHERNE • VICTOR McLAGLEN**

with JUNE LANG • JOHN CARRADINE • PAUL LUKAS • DOUGLASS DUMBRILLE
GEORGE ZUCCO • VIRGINIA FIELD • and a TREMENDOUS SUPPORTING CAST
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# ive I.A.T.S.E. )fficials Cited 'or Contempt

## earing June 13; Missing Charter Located

os Angeles, June 1.—George owne, I. A. T. S. E. International sident, and four aides, besides J. Buzzell, executive secretary of Los Angeles Central Labor Coun- today faced contempt of court arges.

All six must appear in court June to show cause why they should be cited for contempt as result of eged violation of a preliminary in- ction prohibiting them from split- g up Technicians Local 37 and re- ing its charter.

After conferring with A. Brigham se, attorney for deposed officers of cal 37, and George Breslin, Inter- ional attorney, Judge E. H. Wil- signed the contempt citation nam- , besides Browne and Buzzell, the lowing I. A. T. S. E. officers: rold V. Smith, John Gatelee, Frank ckling and Floyd M. Billingsby, latter an International vice presi- t and living in San Francisco.

An injunction obtained May 5 by cers of the local prohibited the In-

(Continued on page 13)

## Late Flashes

Hollywood, June 1. — Gregory kson, who became publicity direc- for Samuel Goldwyn Production r weeks ago, has resigned, effective urday. He leaves Sunday for New rk and will vacation in the east. left Walt Disney Productions to Goldwyn.

•

Film committee of Non-Sectarian ti-Nazi League, consisting of for- n film distributors, yesterday ex- ded its boycott of German films. e League will ask that foreign film tributors include clauses in con- cts that films are not of German gin and that no revenue returns to Reich.

•

Montreal, June 1.—German au- rities here have been refused a re- n of the film seized three weeks ago provincial police, Premier Maurice plessis said today.

The German Consul here had writ- the Attorney General asking for return of the Nazi film, "Pour Le rite." He was informed it was ounded pending court action.

# *Ascap Escapes Regulation In 12 of 14 Legislatures*

Ascap escaped legislative regulation in 12 out of 14 states in which measures adverse to the music licensing society's operations were introduced during 1938-'39 session of legislatures, a checkup completed yesterday disclosed.

All 14 legislatures in which the anti-Ascap measures were introduced have adjourned. North Dakota and Kansas were the only states which enacted the bills. States in which they were defeated are Arkansas, New Mexico, Oklahoma, Minnesota, Indiana, Illinois, Oregon, Connecticut, Ohio, Missouri, Michigan and Pennsylvania.

Vermont enacted an Ascap bill which levies a five per cent tax on the society's collections within the state and requires Ascap to file a list of its music annually. The measure does not have the effect of barring the society from operating within the state, as would the bulk of the Ascap legislation if enacted. For that reason Ascap regards the measure as "harmless."

The Florida house has amended the anti-Ascap law enacted last year and now being contested in Federal courts. No action has been taken by the Senate, however, and the Florida legislature adjourns today.

Washington, Tennessee and Nebraska enacted anti-Ascap laws two years ago.

## More N.Y. Summer Closings Forecast

Summer closings of neighborhood houses in the New York metropolitan area will be somewhat more numerous than normally, it is indicated by circuit heads. Competition from the World's Fair is regarded as an important factor.

Most operators contemplating closings will make no decision for another week or 10 days, and this will depend on how business is affected by the weather and attendance at the Fair.

Consolidated Amusement (Laurence Bolognino) has sent notices to managers to prepare for closings, if necessary. The Brandt circuit closed eight last year and may increase the number this summer. Cocalis circuit will

(Continued on page 13)

## Stars on Goodwill Missions to S. A.

Rio de Janeiro, June 1.—A representative list of 20th Century-Fox stars and contract players will visit leading South American cities at regular intervals, beginning this summer, it was learned here coincident with the arrival of Sidney R. Kent, president of 20th Century-Fox, for the company's South American sales convention.

Selection of South America as a vacation and touring objective for the stars is being encouraged by the company as a contribution to the goodwill which exists between the American industry and this important neighboring customer.

Popularity of American film stars

(Continued on page 13)

## *Club For 25-Year Film Veterans*

**A new industry social club, to be known as Picture Pioneers, is being formed by Jack Cohn, Columbia vice-president. Membership is limited to men who have been members of the industry for 25 years or more.**

**The organization will charge no dues and will be conducted primarily to arrange three or four annual get-togethers, to be known as "conferences" because of the prevalence of the term in picture circles, Cohn explained.**

**Among those who will be identified with the new organization are: Jack Alicoate, Louis Astor, Barney Balaban, Leon J. Bamberger, Jack Bellman, Maurice A. Bergman, B. K. Blake, Clayton E. Bond, Harry Brandt, William Brandt, Leo Brecher, Jules E. Brulatour, Harry D. Buckley, Thomas J. Connors, George Dembow, Sam Dembow, Jr., Ned E. Depinet, S. H. Fabian, Leopold Friedman, Harry Goetz, Paul Gulick, P. S. Harrison, Ed. Hatrick, Hal Hode, Joe Hornstein, Arthur A. Lee, Charles E. Lewis, Joseph A. McConville, Chas. C. Moskowitz, Dan Michalove, P. A. Powers, Martin Quigley, W. F. Rodgers, George J. Schaefer, L. J. Schlaifer, Charles Stern, Albert Warner, A. P. Waxman, George Weeks, Lou Weinberg, M. J. Weisfeldt, Herman Wobber, and Robert S. Wolff.**

# Warner Sells Away From West Coast

## *No Chance of Expanding Income, Says Sears*

Los Angeles, June 1.—Warners have decided to sell away their 1939-'40 product from Fox West Coast, operated by Charles Skouras. The company feels that it can obtain more revenue elsewhere and is critical of Fox West Coast's operating policies, particularly double billing at flat rental.

Gradwell L. Sears, Warners' general sales manager, disclosed this decision upon arriving from New York.

Sears said Warners had examined income records from Fox West Coast over a period of years and had concluded that the circuit's double billing on flat rental engagements offered no opportunity for expanded income.

Independent exhibitors and circuit operators began seeking Warner product when learning of the situation.

Albert A. Galston, president of the Independent Theatre Owners of Southern California, said: "There is no doubt in my mind that Sears' theories are correct. All independent exhibitors will welcome earlier playing time and better breaks.

"Warners' move will produce more revenue for the company, but good pictures should bring more returns to producers."

Charles Skouras said tonight that any statement concerning the situation would have to come from Spyros Skouras, head of National Theatres, in New York.

## Arrive At Truce In 5-Boro Strike

Truce was signed yesterday in the Theatrical Managers, Agents and Treasurers Union strike against nine houses of the Five Boro circuit. All men returned to work at 7:30 P. M. with no loss of pay. The strike started in seven houses Monday evening and spread to two additional theatres Wednesday, with a number of cashiers ushers, doormen and matrons walking out in sympathy.

A meeting will be held today to arrange terms of settlement. T. M. A. T., which includes in its jurisdiction managers, assistants and press agents, will also represent those who joined in the sympathy strike until such time as it is determined which union has jurisdiction.

# Theatre Men Of Carolinas Meet Sunday

CHARLOTTE, N. C., June 1.—Theatre Owners of North and South Carolina will hold their semi-annual convention at the Ocean Forest Hotel at Myrtle Beach, S. C., Sunday, Monday and Tuesday.

Lyle M. Wilson of Roanoke Rapids, president, will preside. H. R. Berry is chairman of the program committee. About 300 are expected to attend.

Ed Kuykendall, president of the M. P. T. O. A., will make the major address of the meeting. He will discuss the trade practice code. Roy Rogers and his Hillbilly band from Hollywood will entertain.

The first business session will be held Monday. A closed session for exhibitors on Monday afternoon will be led by Boyd Brown, H. E. Buchanan, Roy Rosser, Berry and Roy Rowe.

Committees include: Resolutions, M. S. Mill, chairman; E. L. Hearne, Albert Sottile; membership, George Pharr, chairman; S. S. Stevenson, J. I. Sims; publicity, W. C. Ormond, chairman; Mrs. C. H. Albrecht, R. B. Benfield; ladies' entertainment, Mrs. Runa Curtis, chairman; Mrs. M. W. Johnson, Mrs. H. T. Green; recreation, John Vickers, chairman; Buster Schnibben and L. C. Sipe.

## *'Lincoln' to Roxy; 'Juarez' to Strand*

"Young Mr. Lincoln" opens today at the Roxy and "Juarez" starts a popular price run at the Strand.

Although the heat wave abated somewhat yesterday, business continued being off. "The Gorilla" grossed an estimated $29,000 at the Roxy. The second week of "Kid from Kokomo" at the Strand drew an estimated $19,000. At the Rivoli, "Wuthering Heights" grossed an estimated $11,500 for its seventh week.

"Sun Never Sets" is next at the Music Hall. "Undercover Doctor" will open at Criterion Wednesday.

## *Trade Is Watching 'Mikado' at Rivoli*

"The Mikado," first Gilbert and Sullivan operetta to be transferred to the screen, opened at the Rivoli last night.

The trade is watching the picture's performance with more than usual interest for guidance in selling it and pictures of similar character. Picture did excellent business in trial engagements in Miami, Des Moines and Canadian bookings.

"The Mikado" was reviewed in MOTION PICTURE DAILY May 16.

## *20th-Fox Dividends*

Directors of Twentieth Century-Fox Film Corporation yesterday declared a cash dividend of 37½ cents per share for the second quarter of 1939 on the outstanding preferred stock, payable June 30, to stockholders of record June 15. The Board also declared a cash dividend of 50 cents per share on outstanding common stock, payable June 30.

# *◂ Purely Personal ▸*

HARRY GOLD, ARCHIE MAYO, HAM FISHER, SAM SHAIN, CHARLES STARK, KEN DOLAN, EDDIE GRAINGER, JAMES CRON, SHIRLEY ROSS, CAL SWANSON, OSCAR DOOB at BOB GOLDSTEIN'S Tavern during lunch hour yesterday.

•

JACK SCHAINDLIN, for five years associated with MILTON SCHWARTZWALD, has opened his own office at the Eastern Service Studios and will compose original scores for independent producers.

•

ARTHUR KRIM, HERMAN WOBBER, CHARLES MCCARTHY, NAT KARSON, MAYNARD MORRIS, JOHN GOLDEN, JOHN S. ROYAL at Sardi's for lunch yesterday.

•

RICK RICKETSON, Intermountain Theatres division head at Denver, is in town for conferences with SPYROS SKOURAS.

•

OSCAR SERLIN is en route to Hollywood, having completed work here on "The City," documentary film being shown at the World's Fair.

•

RUBEL HUTCHINGS of the Allen Theatre, Allen, Neb., has registered at the RKO World's Fair headquarters.

•

DAVE LEBOVITZ, treasurer of Harlem Amusement Co., Memphis, is in town, accompanied by MRS. LEBOVITZ.

•

LEE STEWART, for several years casting director at the Warner Vitaphone studios, leaves Sunday for a vacation and business trip to Hollywood.

•

CHARLES COBURN, stage player, returns to New York from Hollywood today, having finished work in "Little Mother" at RKO.

•

BERNICE METZ of National Screen Service is on a vacation tour of Canada and Niagara Falls.

•

R. R. WINSHIP of the Majestic, Phillipsburg, Kan., is in town for a few days.

•

CHAFLAN, star of Mexican and South American films, visited the offices of *Teatro al Dia* yesterday.

•

IVAN KAHN, Hollywood talent scout, is in Chicago looking over Little Theatre groups, high school and college dramatics.

•

ADOLPH ZUKOR, WILLIAM BRANDT, MAX A. COHEN, JOSEPH BERNHARD, among those lunching at Nick's Hunting Room in the Astor yesterday.

•

ANDREW KELLY, JAY CARMODY, CARTER BARRON, of Washington, NORMAN CLARK and LOU AZRAEL of Baltimore, in town for a one-day visit yesterday en route to their offices from Springfield, where they attended the premiere of "Young Mr. Lincoln."

•

JOHN PAVONE, Warner New Haven branch manager, was in town yesterday conferring with ROY HAINES, eastern and Canadian sales manager.

•

VIRGINIA FIELD, here for three weeks' vacation, left last night for the coast via TWA. With her is AURIOL LEE, her aunt, a stage director.

•

HERB MORGAN of M-G-M's shorts department is on a four-week trip which will take him to the coast. He is arranging for a college football picture.

•

DELL GOODMAN, 20th Century-Fox Far East supervisor, is due here shortly.

## *Kuykendall to Speak At Oklahoma Parley*

OKLAHOMA CITY, June 1.—Ed Kuykendall, president of the M.P.T.O.A., will head the list of speakers at the annual convention of the Oklahoma Theatre Owners, Inc., at the Biltmore Hotel here June 26 and 27. Morris Loewenstein is president.

Other speakers will be D. R. Milstein, Tulsa, state representative for Ascap; Bessa Short, booker of shorts for Interstate Circuit, Dallas; Bob O'Donnell, president of Interstate, and Paul Short, sales manager of National Screen Service.

## *Quits Variety Club*

CINCINNATI, June 1.—Joseph John Oulahan, local Paramount manager, has resigned as chief barker of the Cincinnati Variety Club, due to pressure of other duties. Arthur M. Frudenfeld, RKO Midwest division manager, formerly first assistant chief barker, moves into Oulahan's post. James J. Grady, 20th Century-Fox manager, goes from second to first assistant chief barker, and Paul Krieger, Universal manager, formerly a director, succeeds Grady.

# *The Newsreel Parade*

*Memorial Day parade, King and Queen in Canada and the Indianapolis auto race highlight the new issues.*

MOVIETONE NEWS, No. 76 — Naval cadets graduate. Pilot lost at sea. King and Queen in Calgary. Queen Mary with Princesses Elizabeth and Margaret in London. Pope Pius in religious ceremony. Memorial Day parade. Dog show. Queen Wilhelmina visits King Leopold. War vets parade in Philadelphia. Fashions. Metropolitan golf championships. Indianapolis auto races. Englewood track opens.

NEWS OF THE DAY, No. 274—Aviator takes off for Ireland. June week in Annapolis. Fred Snite in France. Flexible gate for railroad crossings. Memorial Day parade. War alliance signed. Queen Mary with grandaughters. Indians greet Britain's Monarchs. Speed race in Indianapolis.

PARAMOUNT NEWS, No. 87 — Czech pavilion opens at Fair. Dress parade in Annapolis. Paderewski sails for Europe, Panda performs in English zoo. Heat wave in New York. British sovereigns on tour. Shaw wins auto race.

RKO PATHE NEWS, No. 91—King and Queen in Canada. Plans for streamlined building. Honor prison farm in California. Open exposition in Belgium. Display gravity-driven machine. Triple auto crash in Indianapolis race.

UNIVERSAL NEWSREEL, No. 776—Memorial Day parade. Flier lost in Atlantic. Hail King and Queen. Fred Snite in France. Test robot life saving boat. Women traffic cops in California. Society of Magicians convenes at Fair. Annapolis dress parade. Horse racing. Auto classic.

# Ruling Hurts Government In B-K Action

CHICAGO, June 1.—The federal government was dealt a blow today in its anti-monopoly suit against Balaban and Katz and the majors.

The government, charging violat of the consent decree, sought to have records showing film rentals paid, box-office grosses and other data from 1926 to the present day.

Master in Chancery Edgar Eldredge allowed the government access to data from 1935, instead of 1926.

The next hearing in the case is scheduled June 22.

## *Para. Sales Contest Winners Are Named*

Winners of Paramount's 13-week Four-Star sales drive were disclosed yesterday by Neil F. Agnew, vice-president and general sales manager, as follows:

District managers — George A. Smith, first; Ralph A. LiBeau, second. Branch managers—Albert Mendenhall, Omaha, first; John T. Howard, Detroit, second; Chester J. Bell, Denver, third. Salesmen—I. G. White, Los Angeles, first; E. Rubin, Omaha, second; J. Wilcox, Salt Lake City, third.

In the bookers' division, first place was won by Omaha, with Detroit second and Denver third. Among ad sales managers, Wendall Overturf, Omaha, was first; Selby Carr, Minnepolis, second, and James Nicoll, New Orleans, third.

## *Fleischer Expanding*

MIAMI, June 1. — Max Fleischer, president of Fleischer Studios, Inc., has expanded his organization here, with the rental of two bungalows for the scenario and story departments. He employs 400, with weekly salaries of $18,000. He is building a cafeteria which will seat 200.

## *Set Albany Allied Meet*

A report on New York Allied's annual convention here last week will be given at a meeting of the unit's Albany group at the Ten Eyck Hotel there Monday.

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DAILY
*(Registered U. S. Patent Office)*

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# Deal Merging 160 Australian Houses

## Negotiations To Unite Greater Union, Hoyts Nearly Done

Papers in the Hoyts-Greater Union merger in Australia, which will combine about 160 theaters, will be signed in Australia. The combine will be an Australian company, separate from American interests. Negotiations are not yet concluded.

Hoyts, with 105 theatres, will have about 75 per cent interest in the new corporation, and Greater Union interests the remainder.

### Affiliates Not Involved

Greater Union's affiliates, Cinesound studio and British Empire Films, distributing company, are not involved in the deal.

Norman Bede Rydge, Greater Union managing director, plans to leave June 10 for Sydney by way of the west coast. Charles E. Munro, managing director of Hoyts, will remain here until next month. They are negotiating the merger with the assistance and advice of Spyros Skouras, president of National Theatres, which has an equity in Hoyts.

### 20-Year Contract

Essentially, the deal is a renewal of the Hoyts-Greater Union five-year pool which expired in 1937. The new deal will be a permanent one, the contract being for 20 years.

Theatre affiliates of the two circuits are included, among them the General Theatres group in which the two major circuits have an equal equity. There will be a general reorganization of holdings.

The merger, it is believed, will stabilize exhibition in Australia and redound to the benefit of the Australian industry and investors. It will bring about proper runs for pictures and improved distribution of product.

# Lab Union to Hear Negotiations Report

Negotiations committee of Laboratory Technicians' Union, Local 702, will submit a report of conferences with Consolidated Film Industries to a membership meeting at the Midtown Social Hall tonight. Meeting with Consolidated was held yesterday at which counter proposals to the union's contract were made.

# Reich Films Show Big Gains in Spain

**Madrid, June 1.—German films have made inroads in Spain since General Franco's victory.**

**The German industry is getting favored treatment and believes this foreshadows weakening of the strong lead held by American films. Italian films are increasingly noticeable. A few French pictures are in circulation.**

**A company has been formed in Rome to produce Spanish pictures, with Spanish stories, directors and casts.**

# JOKE!

## Trotta Broadcasts Over Dead Mike

*Vincent Trotta, Ampa's guest of honor, prepares to read his speech over the WMCA microphone—which wasn't hooked up. Paul Lazarus looks on, knowingly, while Martin Starr guides the "victim" to the "mike."*

## Paramount Art Director Honored By Ampa on 25th Anniversary

By AL FINESTONE

Vincent Trotta's 25th anniversary as art director for Paramount was celebrated by the Ampa yesterday at the Hotel Astor in Ampa's best "Naked Truth" manner.

It was a rousing, riotous, lusty salute to the industry's first art department head in point of service. The luncheon was billed as "Trottazapoppin'". The ribbing was plentiful. Trotta showed he could take it.

The affair also was in tribute to Trotta as Ampa's only active charter member. It attracted an overflow gathering of 160 friends and some of Trotta's relatives.

There was a climax of a sort. Paul Lazarus, Jr., Ampa president, preparing for a WMCA broadcast of an address by Trotta, called for order and introduced Martin Starr, WMCA commentator, who in turn presented the guest of honor.

Trotta's speech, made with the utmost gravity, was about 10 minutes under way, when Eddie Schreiber of Warners rushed to the dais and exclaimed, "We've had just about enough of this," and yanked the microphone from the table.

Trotta took it calmly. He merely wiped his eyeglasses and remarked quietly, "I suspected the darn thing wasn't hooked up."

John C. Flinn, an Ampa charter member and former president, was permitted the only "straight" address. He recalled the organization's beginning and called the roll of those present at the first meeting.

Lazarus read a burlesque version of Trotta's life and career, in the illustrated song manner. He then made amends by presenting a testimonial to Trotta and flowers to Mrs. Trotta. The testimonial declared:

"The Associated Motion Picture Advertisers extend to Vincent Trotta felicitations and heartfelt good wishes upon the occasion of his 25th anniversary in the motion picture industry. His record of service, courage and loyalty will be forever an example to those who follow him as it has been a constant inspiration to us."

Messages of congratulation were read from Barney Balaban, S. R. Kent, George J. Schaefer, Jesse L. Lasky, A. M. Botsford, Walter Wanger, Eugene Zukor, Y. Frank Freeman, Mel Shauer, Neil F. Agnew, Herman Wobber, Arthur Mayer, Maurice A. Bergman, Ed Finney, Joe Unger, Charles M. Reagan, Oscar Morgan, George Petty, Jerome Beatty and other friends and associates.

This was Ampa's final meeting of the season.

## Year's Production Peak in Hollywood

**Hollywood, June 1.—Production reached a peak for the year last week, with 61 units shooting.**

**M-G-M had seven features in work; Columbia, Paramount, RKO and Universal, six each; 20th Century-Fox and Warners, five each; Republic, Selznick International, Samuel Goldwyn and Walter Wanger, one each.**

**Two units were working at the same time on some of these pictures. In addition, there were eight independent feature units working, exclusive of shorts.**

## Arnstein Suit

Hollywood, June 1.—Hearing on an order to show cause why 20th Century-Fox should not be restrained from further distribution of "Rose of Washington Square" has been continued to Monday. Nicky Arnstein, charging invasion of privacy, is suing for $400,000.

# Majors Call U.S. 'Evasive' in Suit

## Ask for Further Details; Charge 'Vagueness' By Government

Federal Judge William Bondy reserved decision yesterday on the application of major company defendants, with the exception of Columbia and United Artists, for further details in the Government anti-trust suit.

Decision was also reserved on the alternative request for dismissing the petition for failure to comply with Judge Bondy's earlier order and on another request for extension of time to answer the complaint until 60 days after a further bill of particulars is served.

Majors contended, through attorneys William Donovan and Thomas D. Thacher, that the Government had evaded the order requiring details by using vague terms and stating that details were unknown.

It was argued that the petition should be dismissed if the Government is unaware of details in its case.

Special Assistant Attorney General Paul Williams declared that the defendants "know very well what we intend to prove," and that details could not be furnished without searching records "through the inquisitorial power of the Government."

Williams protested against continued delay and stated that the Government was subjected to criticism because the defendants' answers were not yet on file.

Judge Bondy also expressed dissatisfaction with the delay and said he would have previously ordered the answers filed if court rules had permitted.

# Funds for Jewish Relief Are Collected

Cash and pledges were collected yesterday at the fund-raising luncheon of the Amusement Division of the United Jewish Appeal at the Hotel Edison. About 250 attended.

Rabbi Abba Hillel Silver, national chairman, made the principal address, and David Bernstein, Division chairman, was toastmaster. The division will sponsor a luncheon for performers at the Edison June 12 and a midnight meeting for projectionists at a later date.

Among those on the dais yesterday were Albert Warner, co-chairman of the Amusement Division; Jack Cohn and Barney Balaban, vice-chairman; Harry Brandt, chairman of independent theatre owners' section; Walter Reade, vice-chairman; B. S. Moss, chairman accessory section; William Klein, chairman lawyers; Louis Bernstein, chairman music publishers, and Herman Robbins, chairman equipment.

# Three Companies Formed

Albany, June 1.—Film companies chartered here recently include Banner Pictures, by Irving B-J Levine, Irving Klein and Paul P. Geyer; Sillbar Productions, Inc., by Leonard Sillman, Hyman I. Bucher and John L. Horgan, Jr., and Cinespano Corp., by Don Aylon, E. Louis Gothelf and Beatrice Singer.

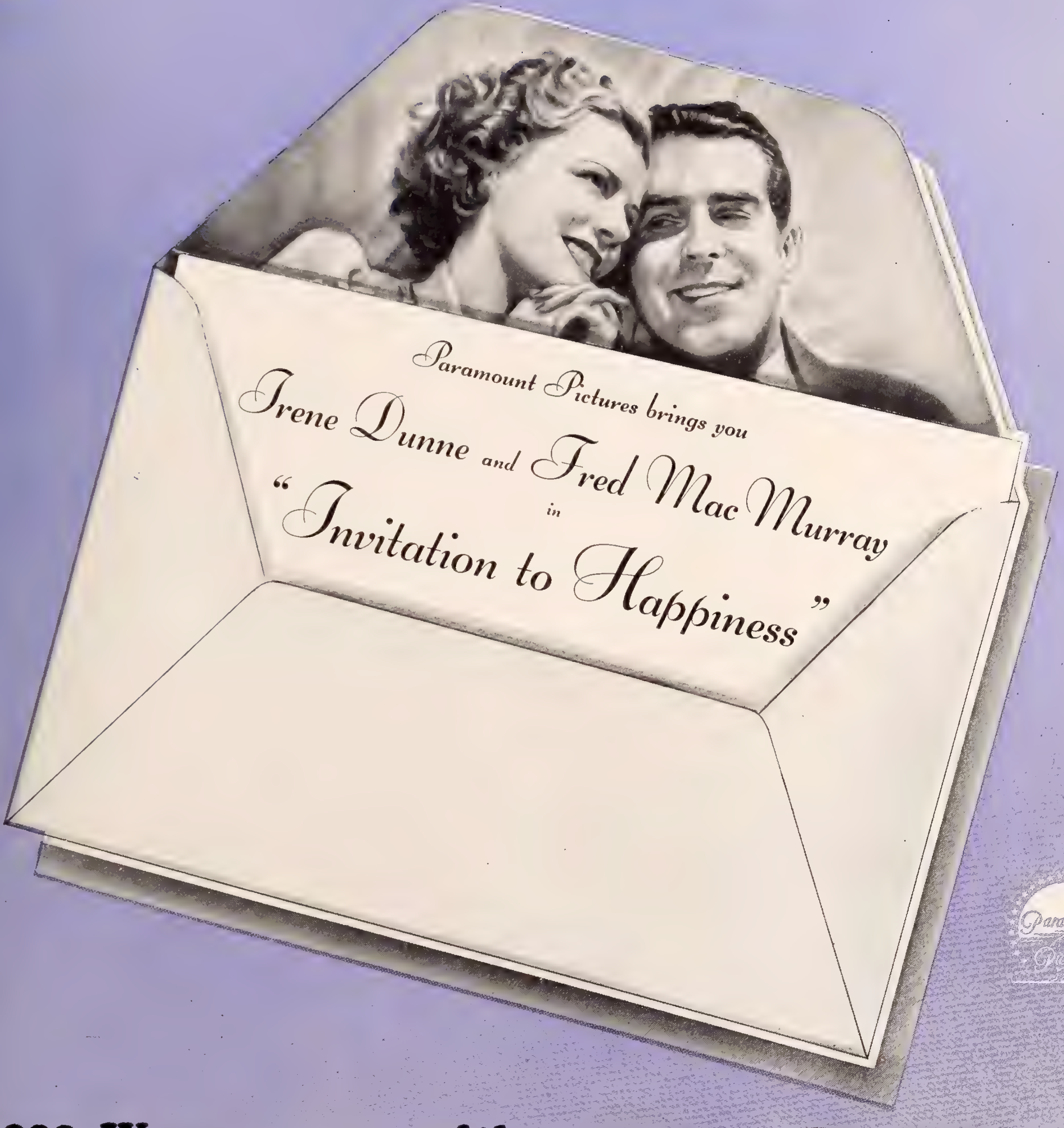
# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | MONOGRAM | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS |
|---|---|---|---|---|---|---|---|---|---|---|
| April 28 | Oklahoma Trail<br>*Starrett*<br>*Meredith* | Calling Dr. Kildare (G) (D)<br>*Lionel Barrymore*<br>*Lew Ayres* | | The Lady's from Kentucky (G) (D)<br>*Raft*<br>*Drew* | Street of Missing Men (G) (D) | The Story of Vernon and Irene Castle (G) (D)<br>*Rogers-Astaire*<br>The Rookie Cop | Return of the Cisco Kid (G) (D)<br>*Baxter*<br>Climbing High<br>*Matthews* | | For Love or Money (G) (D)<br>*June Lang*<br>*Robert Kent* | You Can't Get Away With Murder (G) (D)<br>*Bogart* |
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night (G) (C)<br>*Robert Taylor*<br>*Myrna Loy* | Boys' Reformatory<br>*Frankie Darro* | Union Pacific (G) (D)<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Blue Montana Skies (G) (O) | Sorority House (G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | | | Confessions of a Nazi Spy (G) (D)<br>*Robinson*<br>*Lederer* |
| May 12 | Blind Alley (G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | | Hotel Imperial<br>*Isa Miranda*<br>*Ray Milland*<br>(G) (D) | Man of Conquest (G) (D)<br>*Richard Dix*<br>Three Texas Steers (O) | Panama Lady (G) (D)<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* |
| May 19 | Only Angels Have Wings<br>*Jean Arthur*<br>*Cary Grant*<br>(G) (D) | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter* | Some Like It Hot (G) (C)<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Southward Ho<br>*Roy Rogers* | | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | Ex Champ<br>*McLaglen*<br>*Tom Brown*<br>(G) (D) | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* |
| May 26 | Missing Daughters<br>*Arlen*<br>*Marian Marsh* | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly*<br>(G) (C) | | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | The Zero Hour<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | Racketeers of the Range (O)<br>*O'Brien* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Code of the Secret Service<br>*Reagan*<br>*Towne* |
| June 2 | Trapped in the Sky (G) (D)<br>*DeMille*<br>*Jack Holt*<br>*Ralph Morgan* | | Across the Plains<br>*Jack Randall* | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | S.O.S. Tidal Wave<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | The Girl From Mexico<br>*Lupe Velez*<br>*Donald Woods*<br>(G) (C) | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | The Man Who Dared<br>*Grapewin*<br>*Jane Bryan* |
| June 9 | Arizona Cowboy (O)<br>*Starrett*<br>*Meredith* | 6000 Enemies<br>*Walter Pidgeon*<br>*Rita Johnson* | Girl From Nowhere<br>*Anne Nagel*<br>*Warren Hull* | Undercover Doctor<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | Mountain Rhythm (O)<br>*Gene Autry* | Saint in London<br>*George Sanders*<br>*Sally Gray* | Young Mr. Lincoln<br>*Fonda*<br>*Alice Brady*<br>*Marjorie Weaver* | | The Sun Never Sets<br>*Rathbone*<br>*Fairbanks, Jr.* | Juarez<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>(G) (D) |
| June 16 | "Q" Planes<br>*Olivier*<br>*Valerie Hobson*<br>The Awful Truth (reissue) | Tarzan Finds a Son<br>*Weissmuller*<br>*O'Sullivan* | | Invitation to Happiness<br>*Dunne*<br>*MacMurray*<br>(G) (D) | | The Girl and the Gambler<br>*Steffi Duna*<br>*Carrillo* | Charlie Chan in Reno<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | Man in the Iron Mask<br>*Hayward*<br>*Joan Bennett* | | Nancy Drew Trouble Shooter<br>*Bonita Granville*<br>*Frank Thomas, Jr.*<br>(G) (D) |
| June 23 | Parents on Trial<br>*Jean Parker*<br>*Johnny Downs* | Maisie<br>*Ann Sothern*<br>*Robert Young* | | Grand Jury Secrets<br>Heritage of the Desert (O) | | Five Came Back<br>*Chester Morris*<br>*Lucille Ball* | The Girl from Brooklyn<br>*Alice Faye*<br>*Baxter*<br>*Winninger* | | | The Kid from Kokomo<br>*O'Brien*<br>*Wayne Morris*<br>(G) (C) |
| June 30 | Good Girls Go to Paris<br>*Blondell*<br>The Man from Sundown (O) | Stronger than Desire<br>*Virginia Bruce*<br>*Walter Pidgeon* | Stunt Pilot<br>*John Trent*<br>Roll, Wagon, Roll (O) | Island of Lost Men<br>*Anna May Wong*<br>*Truex* | Mickey the Kid<br>*Bruce Cabot*<br>*Ralph Byrd* | Timber Stampede<br>*Geo. O'Brien* | It Could Happen to You<br>*Gloria Stuart*<br>*Stuart Erwin* | | House of Fear<br>*Wm. Gargan*<br>*Irene Hervey* | |

# INVITATION TO HAPPINESS

# INVADES THEIR HEARTS



*Paramount Pictures brings you*

*Irene Dunne and Fred MacMurray*

*in*

*"Invitation to Happiness"*

**18,000 Women weep with rapture . . . See next page**

# "INVIT

# TO

**18,000 Womer**

**AT SPECIAL**
**PREVIEWS**
**IN 36**
**KEY CITIES:**

# HAPP

### INDIANAPOLIS ENDORSERS OF PHOTOPLAYS Accept Paramount's "Invitation to Happiness"

"In describing this picture we might use such adjectives as entertaining, delightful, enjoyable, outstanding, superb, and many other superlatives, and they would all be true. In our opinion this picture owes its greatness (and no one seeing it can doubt its greatness) to its very, very 'down to earth humanness'... a picture of Americans for Americans that will find a place in the hearts of all theatre-goers."

*—Mary E. Sharp, Acting Secretary*

### NEWSPAPER COLUMNIS Paramount's "Invitati

"Fred MacMurray gives one of the greatest performances of the MacMurray career. Wesley Ruggles has never made a poor picture, and this one is his greatest. This love story packs a wallop for every woman."

*—Ed Sullivan*

"Mark 'Invitation to Happiness' down as an emotional treat not to be missed."

*—W. Ward Marsh, Cleaveland Plain Dealer*

"I recommend the film. I'm going to see it again."

*—Des Moines Register*

# ATION

## cept Paramount's "Invitation to Happiness"

diences of women chosen from leaders in each city's civic and cultural life . . . acclaimed nvitation to Happiness" as "a story you will carry in your heart always". . ."a picture with nty of 'umph'". . ."should have the Pulitzer prize". . ."as much a man's picture as a man's". . ."terrific entertainment with a real heart tug". . .They applauded. They wept with er rapture. We have a stack of comment cards that would fill a room . . . and each and ry one is a rave for this picture . . . In 36 key cities these hundreds of women are telling ir families and their friends "Invitation to Happiness" is the year's best . . . are giving this esley Ruggles' triumph the biggest word of mouth build-up ever engineered for a picture!

# NESS"

## ND CRITICS Accept Happiness"

It's a story that Mr. and Mrs. John Public will ap- reciate and understand. Box office, is, of course, nportant, and 'Invitation to Happiness' has all the gredients." —*Louella Parsons*

Top-flight entertainment. Jot it down as one of the righter approaching events." —*Winsor French, Cleveland Press*

Paramount may point with pride to this one . . . it's smoothie." —*Little Rock, Arkansas Democrat*

## "RADIO COMMENTATORS Accept Paramount's Invitation to Happiness"

"'Invitation to Happiness' is an invitation to fun and romance. Accepted." —*Jimmie Fidler*

"Top flight movie entertainment. Women will find this one of the greatest love stories of the season. I won't whisper this . . . I'll shout it." —*George Fisher, Mutual Broadcasting System*

"Best thing I have seen since Notre Dame came from behind to knock down Ohio State in 1935, but unlike that game, it has sustained punch plus the same terrific climax." —*Ted Husing*

# The Trade Papers Accept Paramo

# INVITATION To

**"IRENE DUNNE'S** work is definitely in the superior class." —*Hollywood Reporter*

"Irene Dunne's portrayal is unusually fine, giving the picture its charm and humanness." —*Showman's Trade Review*

"Irene Dunne does splendid work." —*Film Daily*

"Irene Dunne plays in an impressive manner." —*M. P. Daily*

"For Irene Dunne it is a decided change of pace from her more recent sophisticated comedies. A refreshing change. She shows her versatility in a performance of persuasive appeal and sound merit." —*Daily Variety*

"Miss Dunne's portrayal of the wife is excellent." —*M. P. Herald*

**"Paramount can look for hefty grosses from 'Invitation to Happiness.' The picture doesn't miss a trick in playing on every emotional response that can be expected."**
—*Hollywood Reporter*

# t's "Invitation to Happiness"! . . .

HAPPINESS

**"FRED MacMURRAY** has never done better work."
—*Film Daily*

"Mr. MacMurray's performance is his best to date." —*M. P. Herald*

"Fred MacMurray continues to grow in stellar stature and here gives one of his most sterling and impressive enactments in a role eminently adapted to him." —*Daily Variety*

"MacMurray turns in his best performance to date." —*M. P. Daily*

"First, last, and always a love story, excellently told."
—*M. P. Daily*

"Swell human interest story; should play to heavy grosses in all theatres. One of the most human pictures that has come to the screen in many a moon."
—*Film Daily*

"The tale is written, directed and played with moving emotional appeal...one of the best in some time." —*Daily Variety*

**"WESLEY RUGGLES,** producer-director, has done a masterly job." —*Film Daily*

"Directed by Wesley Ruggles at the peak of a brilliant career, 'Invitation to Happiness' is just what the title declares it to be." —*M. P. Daily*

"A Wesley Ruggles production in that veteran director's ablest manner. It is solid entertainment." —*M. P. Herald*

"The Wesley Ruggles production packs a solid wallop in the heart interest department."
—*Hollywood Reporter*

"Wesley Ruggles has skillfully directed it, so that it plays on every emotion and should have a tremendous audience response."
—*Showman's Trade Review*

**Irene Dunne · Fred MacMurray**
in
**"INVITATION to HAPPINESS"**
with
**CHARLIE RUGGLES · William Collier, Sr. · Billy Cook**
Produced and Directed by **Wesley Ruggles**
Director of "Sing You Sinners" and "True Confession"

# INVITATION

# TO SUMMER BOX OFFICE

# HAPPINESS

A fast-stepping college picture

**"MILLION DOLLAR LEGS"**

Tamiroff is terrific

**"THE MAGNIFICENT FRAUD"**

Irvin S. Cobb's heart-tugging tribute to the American spirit

**"OUR LEADING CITIZEN"**

The best of the Bennys

**"MAN ABOUT TOWN"**

A cavalcade of show business

**"THE STAR MAKER"**

Elisabeth Bergner's Greatest Performance

**"STOLEN LIFE"**

Paramount Pictures

PRINTED IN U.S.A.

# 'Spy' Proves Seattle Lead, Pulls $7,700

SEATTLE, June 1.—"Confessions of a Nazi Spy" and "The Family Next Door" led at the Paramount here with $7,700, in a week of slow grosses and fair weather.

"Only Angels Have Wings" grossed $7,200 at the Liberty.

Estimated takings for the week ending May 26:

**"Union Pacific" (Para.)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)
**"Lucky Night" (M-G-M)**
**"Secret Service of the Air" (W. B.)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $6,900. (Average, $7,000)
**"Only Angels Have Wings" (Col.)**
LIBERTY—(1,800) (20c-30c-40c-55c) 7 days, 2nd week. Gross: $7,200. (Average, $5,000)
**"Mutiny on the Bounty" (M-G-M)**
MUSIC BOX—(950) (30c-40c-55c) 7 days. Gross: $4,100. (Average, $5,000)
**"King of Chinatown" (Para.)**
**"Twelve Crowded Hours" (RKO)**
ORPHEUM—(2,450) (30c-40c) 7 days. Gross: $4,300. (Average, $6,000)
**"I Was a Convict" (Repub.)**
**"The Long Shot" (G. N.)**
PALOMAR—(1,500) (15c-25c-35c-40c) 7 days. "Broadway Merry-Go-Round" stage revue. Gross: $5,300. (Average, $5,000)
**"Confessions of a Nazi Spy" (W. B.)**
**"The Family Next Door" (Univ.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $7,700. (Average, $6,000)
**"Smiling Along" (20th-Fox)**
UPTOWN—(750) (30c-40c) 7 days. Gross: $1,400. (Average, $1,500)

# 'Rose' in Detroit Good at $27,000

DETROIT, June 1.—"Rose of Washington Square" led the parade, giving the Fox $27,000. Michigan took $11,000 with "Oklahoma Kid" and "Some Like it Hot."

Estimated takings for week ending May 25:

**"Return of the Cisco Kid" (20th-Fox)**
**"Spirit of Culver" (Univ.)**
ADAMS—(1,700) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
**"Rose of Washington Square" (20th-Fox)**
FOX—(5,000) (20c-65c) 7 days. Stage, Variety show. Gross: $27,000. (Average, $20,000)
**"Oklahoma Kid" (W. B.)**
**"Some Like It Hot" (Para.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $11,000. (Average, $10,000)
**"Confessions of a Nazi Spy" (W. B.)**
**"Torchy Runs for Mayor" (W. B.)**
PALMS-STATE—(3,000) (15c-50c) 7 days. Gross: $7,500. (Average, $5,000)
**"San Francisco" (M-G-M)**
**"The Champ" (M-G-M)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days. Gross: $5,000. (Average, $10,000)

# *'Rose' Is Smash Hit Indianapolis, $8,900*

INDIANAPOLIS, June 1.—"Rose of Washington Square" was a smash hit at the Circle with $8,900. "Sorority House" shared the bill. Other grosses were weak. The weather was hot.

Estimated takings for the week ending May 26:

**"Man of Conquest" (Rep.)**
**"Woman Doctor" (Rep.)**
APOLLO—(1,100) (25c-40c) 7 days. Gross: $2,200. (Average, $2,500)
**"Rose of Washington Square" (20th-Fox)**
**"Sorority House" (RKO)**
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $8,900. (Average, $5,500)
**"Lucky Night" (M-G-M)**
**"Society Lawyer" (M-G-M)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $5,800. (Average, $7,000)
**"Torchy Runs for Mayor" (W. B.)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Vaudeville. Gross: $5,300. (Average, $8,000)

# *Hollywood Previews*

## *"Charlie Chan in Reno"*

*(20th Century-Fox)*

HOLLYWOOD, June 1.—There's more mystery in "Charlie Chan in Reno" than has been the case in any of the "Chans" for quite a while. At the same time, the production has all the comedy that any of the series ever had. The combination is served up by Sidney Toler with the assistance of Ricardo Cortez, Phyllis Brooks, Slim Summerville, Kane Richmond, Sen Yung, Pauline Moore, Eddie Collins, Kay Linaker, Louise Henry, Robert Lowery, Charles D. Brown, Iris Wong, Morgan Conway and Hamilton MacFadden. It proved sufficiently worthy to win the appreciation of the preview audience. Norman Foster, capitalizing on all the merits in Philip Wylie's original and the Frances Hyland, Albert Ray and Robert E. Kent screenplay, directed smoothly.

Anything may happen in Reno, the nation's divorce capital, and while what happens in "Charlie Chan in Reno" is melodramatically theatrical, all seems logical and believable. The mysterious murder of divorce candidate Miss Henry with suspicion centered on Miss Moore, another marital freedom seeker, brings Toler into the case. An idea of how complicated things are may be gleaned from the fact that Richmond, Miss Moore's husband, plans to marry Miss Henry. However, as Yung and rural sheriff Summerville blunder through things to create comedy, Toler, confronted with a multiplicity of suspects, all of whom might have had reason for wanting the victim out of the way, unsnarls the tangle while the audience is left wondering who it is up to the final minute.

Running time, 65 minutes. "G."*

G. McC.

## *"Cuando Canta La Ley" ("The Singing Charro")*

*(Faralla-Paramount)*

HOLLYWOOD, June 1.—First all-Spanish musical western produced in Hollywood, "Cuando Canta La Ley" presents Tito Guizar in an impressive production shrewdly calculated by its producer, Dario Faralla, to open a new vista in the Spanish market. Fourth of his production efforts starring Guizar for Paramount release, this Faralla picture combines action, romance, story and music in such proportions as to be of general interest. Again associated with Faralla is director Richard Harlan, who guided the other three Guizar pictures.

Enruque Unthoff wrote the Spanish screenplay which places Guizar in the role of a Mexican secret service operative who becomes a singing cowboy to track down a murdering bond thief. Comedy is supplied by Martin Garralaga, in the role of an insurance company detective, who joins forces with Guizar. Others in the cast are Tana, Martin Garralaga, Paul Ellis, Pilar Arcos, Jose Tortosa, Carlos Ruffino, Carlos Montalban, Raoul Lechuga, Jose Pena Pepet and Arroyita.

Guizar and Garralaga are hired as cowhands by Tana, who owns a huge ranch. Still keeping their disguise, they track down the murderer, who turns out to be the ranch owner's fiance. After gun fights and spectacular riding. Guizar recovers the loot and captures the criminal.

Running time, 81 minutes. "G."* VANCE KING

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*"G" denotes general classification.

## *Home Town to Get Benny's Premiere*

CHICAGO, June 1.—Details for the world premiere of Jack Benny's new film, "Man About Town," at Waukegan, Ill., Benny's home town, have been worked out here by Robert Gillham of Paramount. The event takes place June 25. Plans include the broadcast of the entire Benny show with the cast being brought to Waukegan.

## *Wachsberger Sets First*

HOLLYWOOD, June 1.—Nat Wachsberger, parner of Boris Morros in Boris Productions, will produce as his first picture an English version of "Royal Box," burlesque of royal dictatorship, which was produced by Tobis in Germany several years ago.

## *Nine Arenas Form New Booking Pool*

PITTSBURGH, June 1.—Nine of the country's largest arenas have organized here to establish group booking policies, distribute information about their field and develop means of stimulating business. The combine, incorporated as the Arena Managers' Association, have a New York office.

Officers are John H. Harris of the Harris Amusement Co., president; Walter Brown, Boston, vice-president and treasurer, and Louis Pierie of Providence, secretary.

Charter members are the Rhode Island Auditorium in Providence; Springfield, Mass., Auditorium; Duquesne Garden in Pittsburgh, and the arenas of Boston, Cleveland, Philadelphia, Syracuse, New Haven and Hershey Estates.

# 'Juarez' Hub Big Grosser With $19,500

BOSTON, June 1. — "Juarez" and "Women in the Wind" led at the Metropolitan with $19,500. "The Hardys Ride High" and "Blind Alley" dualing at Loew's Orpheum and State took $17,000 and $13,500 respectively.

Estimated takings for the week ending May 31:

**"Romance of the Redwoods" (Col.)**
**(3 days with vaude.)**
**"Boy's Reformatory" (Mono.)**
**(3 days with vaude.)**
**"Oklahoma Kid" (W.B.) (4 days)**
**"12 Crowded Hours" (RKO) (4 days)**
RKO KEITH BOSTON—(3,200) (20c-30c-40c). Gross, $6,500. (Average, $8,500)
**"Rose of Washington Square" (20th-Fox)**
**"Fisherman's Wharf" (RKO)**
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c). 7 days. 2nd week. Gross, $13,000. (Average, $14,500)
**"The Gorilla" (20th-Fox)**
**"Back Door to Heaven" (Para.)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $6,500. (Average, $8,000)
**"The Gorilla" (20th-Fox)**
**"Back Door to Heaven" (Para.)**
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $5,300)
**"Juarez" (W.B.)**
**"Women in the Wind" (W.B.)**
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $19,500. (Average, $14,500)
**"The Hardys Ride High" (M-G-M)**
**"Blind Alley" (Col.)**
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $14,500)
**"The Hardys Ride High" (M-G-M)**
**"Blind Alley" (Col.)**
LOEW'S STATE—(3,600) (25c-35c-40c-55c) 7 days. Gross: $13,500. (Average, $10,500)
**"Union Pacific" (Para.) (3rd run)**
**"Made for Each Other" (U.A.) (2nd run)**
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $5,000. (Average, $5,000)

# 'Love or Money' K.C. Lead, $9,500

KANSAS CITY, June 1.—"For Love or Money," plus a stage show at the Fox Tower, grossed $9,500 for the best comparative showing.

Estimated takings for the week ending May 23-25:

**"The Lady's From Kentucky" (Para.)**
**"Some Like It Hot" (Para.)**
NEWMAN—(1,900) (25c-40c) 6 days. Gross: $4,100. (Average, $6,200)
**"Rose of Washington Square" (20th-Fox)**
ESQUIRE—(800) (25c-40c) 8 days, 2nd week. Gross: $3,000. (Average, $3,400)
**"Rose of Washington Square" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 8 days, 2nd week. Gross: $2,700. (Average, 8 days, $4,000)
**"Lucky Night" (M-G-M)**
**"Society Lawyer" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $10,800. (Average, $11,500)
**"You Can't Get Away with Murder" (W.B.)**
**"Sorority House" (RKO)**
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $3,400. (Average, $5,000)
**"For Love or Money" (Univ.)**
FOX TOWER—(2,200) (25c-40c) 7 days. Stage: Count Berni Vici's French Folies. Gross: $9,500. (Average, $7,000)

## *Exhibitors Escape Conn. Ticket Levy*

HARTFORD, Conn., June 1.—With the budget balanced, exhibitors are free of the threatened amusement tax for two more years. However, much resentment is expressed over the discriminatory Bingo bill which has passed both houses, and now awaits the Governor's signature to become law July 1.

## 'Only Angels' Hits $22,000 For L.A. Lead

LOS ANGELES, June 1. — "Only Angels Have Wings" and "Risky Business," grossed a total of $22,000 at two houses, $10,700 at the Hillstreet and $11,300 at the Pantages. "Goodbye, Mr. Chips" was strong with $7,800 at the 4 Star.

Estimated takings for the week ending June 1:

**"Goodbye Mr. Chips" (M-G-M)**
4 STAR—(900) (40c-50c) 7 days. Gross: $7,800. (Average, $3,250)
**"Only Angels Have Wings" (Col.)**
**"Risky Business" (Univ.)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $10,700. (Average, $6,500)
**"It's a Wonderful World" (M-G-M)**
**"Within the Law" (M-G-M)**
LOEW'S STATE—(2,500) (30c-$1) 7 days. Gross: $8,500. (Average, $14,000)
**"Only Angels Have Wings" (Col.)**
**"The Family Next Door" (Univ.)**
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $11,300. (Average, $7,000)
**"Some Like It Hot" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. Ice Revue. Gross: $14,000. (Average, $18,000)
**"Dark Victory" (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days, 2nd week. Gross: $13,300. (Average, $14,000)
**"Dark Victory" (W. B.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days, 2nd week. Gross: $13,400. (Average, $12,000)
**"It's a Wonderful World" (M-G-M)**
**"Within the Law" (M-G-M)**
WILSHIRE — (2,300) (30c-$1) 7 days. Gross: $7,200.

## *'Nazi Spy' Draws $9,500 in Buffalo*

BUFFALO, June 1.—"Confessions of a Nazi Spy," coupled with "Women in the Wind" at the Great Lakes, earned $9,500. Other grosses were off.

Estimated takings for the week ending May 27:

**"Lucky Night" (M-G-M)**
BUFFALO — (3,000) (30c-55c) 7 days. Gross: $10,500. (Average, $12,000)
**"Confessions of a Nazi Spy" (W. B.)**
**"Women in the Wind" (W. B.)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,400. (Average, $7,500)
**"Calling Dr. Kildare" (M-G-M)**
**"Sorority House" (RKO)**
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $5,600. (Average, $6,800)
**"Fixer Dugan" (RKO)**
**"Bulldog Drummond's Secret Police" (Para.)**
CENTURY—(3,000) (25c) 7 days. Gross: $3,300. (Average, $6,000)
**"Streets of New York" (Mono.)**
**"The Family Next Door" (Univ.)**
LAFAYETTE — (3,300) (25c) 7 days. Gross: $5,900. (Average, $6,300)

## *Dividends in Canada*

TORONTO, June 1.—Famous Players Canadian Corp. has declared a dividend of 25 cents for the second quarter of 1939 on each of the common shares of the company, payable June 30. This is the second dividend of the same amount for the current year.

Marcus Loew's Theatres, Ltd., Toronto, has declared a dividend of 3½ per cent on the seven per cent preference shares for the six months ending Dec. 31, 1936, this being a further payment on arrears for preferred stock which bears cumulative interest.

# *Previews of Films*

### *"Undercover Doctor"*

*(Paramount)*

HOLLYWOOD, June 1.—A little too late to have much topical significance, "Undercover Doctor" nevertheless measures up as satisfactory crime melodrama.

Featuring J. Carroll Naish as the central character, the story was prepared by Horace McCoy and William R. Lipman from chapters in J. Edgar Hoover's book, "Persons In Hiding." It treats of episodes in the career of an unscrupulous doctor who made a profitable practice of ministering to wounded criminals and failing to report to authorities.

In fear of the mob headed by Broderick Crawford and sponsored by presumably respectable Richard Carle, an alliance which in turn is partially held in check by its fear of Naish, Lloyd Nolan's G-Men are brought into the story by Naish's ethical nurse Janice Logan. Repeating incidents in the lives of notorious criminals that at one time made sensational headlines, Nolan catches up with Crawford and Naish as the latter is about to perform a face-lifting operation on the outlaw following a murderous bank car robbery.

Naish's performance as well as those of Crawford, Nolan, Carle, Heather Angel, Raymond Hatton, Clem Bevans and John Eldredge are realistic and convincing. Romance and comedy are equally subordinated in the films. Louis King's direction accentuated the production's melodramatic quality.

Running time, 65 minutes. "G."* G. McC.

### *"Three Waltzes"*

*(Vedis Films, Inc.)*

A new company handling French films makes its bow with "Three Waltzes," and its start is auspicious. Yvonne Printemps' presence in the musical comedy-drama assures its appeal. Her piquant verve and voice add much to the picture's charm, and charmingly gay it is.

The plot ingeniously traces a feud between two families, in which love affairs of two generations are successfully consummated in the third. Miss Printemps is successively a ballet dancer, a singer and a film star. Pierre Fresnay, one of France's leading players, is the other protagonist, and Henri Guisol, as an impresario, gives a fine and humorous characterization. The music is by the Johan Strausses and Oscar Straus.

Running time, 90 minutes. "G."*

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**"G" denotes general classification.*

## *Mexico Notes*

MEXICO CITY, June 1.—Mexican Government, through its Ministry of Finance, and the National Workers and Industrial Bank, have made a deal for official financial assistance for picture producers, with the Producers' Association.

Producers recommended by the association and the two film labor organizations, Federation of Cinematographic Industry Workers and the Union of Picture Studio Workers, get adequate financing.

Two representatives have been appointed by the Mexican M. P. Producers' Association to establish exchanges in Central and South America, made possible by the appropriation of $10,000 by the Mexican Government.

Mexican Motion Picture Directors' Union has elected the following officers: president, Fernando de Fuentes; secretary, Armando Vargas de la Maza, and treasurer, Arcady Boytler.

Rodriguez Family, in many branches of the Mexican industry, have turned producers. They have rented George Stahl's studios here for two months for their first picture, to be released in the late summer.

## *London Notes*

LONDON, June 1.—Independent committee of the London Branch of the Cinematograph Exhibitors' Association claim after a survey that there are widespread breaches of film contracts on the part of distributors. The committee will gather complaints and plans to take them up with the individual distributors.

An experiment in program changes is planned by the Odeon circuit this summer. They intend changing their bills on Thursday, instead of Sunday, at their seaside houses.

Following the budget tax complications, and fearing a shortage of appropriate films, and unwilling to pay increased import duties on foreign items, Jack Davis, chief of the Monseigneur circuit of news theatres, plans to convert his eight theatres into repertory.

A 10-year ban on features being reduced to sub-standard size is proposed by the Manchester branch of the C.E.A. The ban was in the form of a resolution to the General Council. The proposal comes as a result of the growing annoyance with free shows given on sub-standard film.

## 'Graham Bell' With $12,000 Denver Lead

DENVER, June 1.—"The Story of Alexander Graham Bell," aided by a Major Bowes' unit, topped the town with $12,000 at the Denver. "U[illegible]n Pacific" did $6,000 in its fifth week at the Denham.

Estimated takings for the week ending May 31:

**"Wuthering Heights" (U.A.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $3,500)
**"It's a Wonderful World" (M-G-M)**
**"Flying Irishman" (RKO)**
BROADWAY — (1,100) (25c-40c) 7 days. 2nd week. Gross: $1,500. (Average, $2,500)
**"Union Pacific" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days 5th week. Gross: $6,000. (Average, $6,500)
**"The Story of Alexander Graham Bell" (20th-Fox)**
DENVER — (2,525) 25c-35c-40c) 7 days Stage show. Gross: $12,000. (Average $9,000)
**"Bridal Suite" (M-G-M)**
**"Kid from Texas" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 6 days Gross: $6,000. (Average, 7 days, $8,500)
**"Prison Without Bars" (U.A.)**
**"Jones Family in Hollywood" (20th-Fox)**
PARAMOUNT—(2,200) (25c-40c) 7 days Gross: $4,500. (Average, $3,500)
**"Lost Horizon" (Col.)**
**"Risky Business" (Univ.)**
RIALTO—(878) (25c-40c) 7 days, "Lost Horizon" 2nd week. Gross: $1,750. (Average, $1,750)

## *'Rose' at $5,500 Bucks Oklahoma City Heat*

OKLAHOMA CITY, June 1.—Recor heat for May took its toll of local box-offices, no theatre succeeding in doing better than average. "Rose of Washington Square" did the best business with an average $5,500 at the Criterion.

Estimated takings for the week ending May 25:

**"Rose of Washington Square" (20th-Fox)**
CRITERION—(1,500), 25c-35c-40c, 7 days Gross: $5,500. (Average, $5,500)
**"Boy Friend" (20th-Fox)**
**"Back Door to Heaven" (Para.)**
LIBERTY—(1,200), 20c-25c, 4 days. Gross $1,600. (Average, $1,800)
**"Unmarried" (Para.)**
**"Bulldog Drummond's Secret Police" (Para.**
LIBERTY—(1,200), 20c-25c, 3 days. Gross $560. (Average, $700)
**"Calling Dr. Kildare" (M-G-M)**
MIDWEST—(1,500), 25c-35c-40c, 7 days Gross: $3,800. (Average, $4,200)
**"Union Pacific" (Para.)**
PLAZA—(750), 25c-35c-40c, third week, days. Gross: $1,700. (Average, $1,700)
**"Streets of New York" (Mono.)**
STATE—(1,100). 20c-25c-40c, 7 days. On stage: Johnny O'Brien and His Harmonica Hi-Hats. Gross: $1,750. (Average, $3,000
**"Confessions of a Nazi Spy" (W. B.)**
TOWER—(1,000), 25c-35c-40c, 7 days, 2nd week. Gross: $2,100. (Average, $2,500)

## *Toronto Exhibitors Fighting Protection*

TORONTO, June 1. — Independen Theatres Association here is making a canvass of all independent theatre owners in Canada for the Anti-Protection League, which seeks relief from clearance schedules now in effect. The argument is advanced that protection in its present form is having a disastrous effect on subsequent run business.

A special committee of the I.T.A. with J. O. Scott of Toronto as chairman, is organizing the drive for concessions and it is claimed that 60 independents of the Greater Toronto area already have become league members.

# Eight Beauties To Greet 300 Para. Envoys

Hollywood, June 1.—Paramount will comb the town to discover Hollywood's eight prettiest girls who will be selected to serve as a welcoming committee to the more than 300 delegates who will arrive next week for the company's national sales convention at the Ambassador, June 8 to 10.

They will be at Union Station with boutonnieres for every delegate. Their costume will be an adaptation of the French Foreign Legion uniform, for no other reason than that Paramount is making a picture known as "Beau Geste."

The home office and eastern delegation, numbering more than 75, will leave New York Sunday afternoon. They will be joined by other large delegations at Chicago, Omaha and Salt Lake City.

## Bookkeepers, W. B. Discuss Bargaining

Problem of number of employes to include in bargaining unit occupied most of yesterday's informal conference between the Bookkeepers, Stenographers and Accountants Union and Warners. B. S. & A. U. has petitioned for recognition at the Warner warehouse and has also filed charges of unfair labor practices against Warners.

## Five I.A.T.S.E. Chiefs Cited For Contempt

(Continued from page 1)

ternational from revoking the charter and splitting up the membership ending the outcome of suits now before the courts.

### Missing' Charter Found; It's in N. Y.

Los Angeles, June 1.—Mystery of the missing Technicians Local 37 charter was solved today when George Browne, International I. A. T. S. E. president, telegraphed Judge Henry Willis that he had ordered the charter picked up and given to Louis Krouse of New York, general secretary of the International, who now holds it.

Browne said in the telegram that he had revoked the local's charter because the local had failed to hold a membership meeting in a three months' period and therefore had violated the Constitution.

Judge Willis yesterday demanded that the charter be produced in court after it was revealed that it had 'disappeared."

The first witness at today's trial of the local's suit for restoration of its autonomy was C. B. Weber, special agent for a telephone company, who was called in an attempt to show that most of the communications to Browne from here were made by Harold V. Smith, former International representative and described by A. Brigham Rose, attorney for the deposed officers of Local 37, as the "man who engineered a false state of emergency to enable the International to take over the local."

# SHORT SUBJECT REVIEWS

### *"Stranger than Fiction"*

*(Universal)*

Contains six oddities: miniature roller coaster built by a student; a wooden press; a collection of odd clocks; a dog that extinguishes fire; etching made easy and a one-legged man who participates in sports and dances. Above average. Running time, 9 mins. "G."

### *"Paramount Presents Hoagy Carmichael"*

*(Paramount)*

Hoagy Carmichael and Jack Teagarden are featured in a musical of high entertainment calibre. Teagarden's orchestra plays Carmichael's compositions while the latter sings and quips. Running time, 10 mins. "G."

### *"Popular Science J8-5"*

*(Paramount)*

Camera concentrates on production of "Popeye" cartoons, from the story selection to the finished product. Also included are a radio-controlled airplane used for air-raid maneuvers; a school for aged pupils, and new workshop devices. Filmed in color. Running time, 11 mins. "G."

### *"Mechanix Illustrated, No. 4"*

*(Warners)*

Inside views, in color, of the crime laboratory of the New York City Police Department, a candy factory, a rubber manufacturing plant and a pencil factory are included in this reel. Careful camera handling results in some splendid color shots. Worthwhile. Running time, 10 mins. "G."*

### *"Porky and Teabiscuit'*

*(Schlesinger-Warners)*

This black and white "Looney Tune" finds Porky at a horse auction. He bids inadvertently, and finds himself the owner of a race horse. He enters a race and after a series of mishaps wins. Not up to par. Running time, seven mins. "G."*

### *"Bola Mola Land"*

*(Lantz-Universal)*

Animated burlesque of travelogue shorts that is amusingly different. Witty commentary describing the trip, places visited and creatures met, such as Corrigan birds that fly backwards, whispering pines that actually whisper. Running time, 6 mins. "G."

### *"Musical Mountaineers"*

*(Fleischer-Paramount)*

Here is special appeal to jitterbug patronage as Betty Boop and a family of "feudin'" hillbillies resort to a bit of "rug cutting." Believing Betty is an enemy, the hillbillies command her to dance. She convinces them they are wrong so they join the dance. Running time, 7 mins. "G."

### *"Diamond Dust"*

*(Paramount)*

This timely reel will interest sport fans. Introduction is by Judge Landis. The rights and wrongs of baseball are illustrated. A few words from Joe McCarthy and part of a Yankee game end the short. Running time, 10 mins. "G."

### *"Paramount Pictorial P8-10"*

*(Paramount)*

Leads off with escort service conducted by Ted Pinkham. Lore and craftsmanship in the Far East, and a resume of the song, "Thanks for the Memory," complete the reel. Running time, 11 mins. "G."

### *"Dark Magic"*

*(M-G-M)*

Robert Benchley excels himself in this reel and the result is one of the funniest shorts to be seen. He purchases a magic set for his youngster but starts to use it himself. At the beginning none of the tricks works but Benchley amazes himself and his audiences by making himself disappear. Running time, 9 mins. "G."

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*"G" denotes general classification.

## Wave of Paralysis Closes S. C. Houses

Charleston, S. C., June 1.—Theatre business throughout South Carolina slumped perceptibly as a result of an increasing number of infantile paralysis cases in recent weeks.

Health authorities have requested exhibitors to bar children under 14 from theatres. Attendance dropped off to such an extent that some houses were forced to close, others are operating on curtailed schedules and scores of exhibitors are requesting temporary film rental adjustments.

Charleston is reported to be the most seriously affected.

## Damrosch's Debut

Hollywood, June 1.—Conducting a 65-piece symphony orchestra, Dr. Walter Damrosch, 67, dean of American orchestra conductors, yesterday made his film debut in Bing Crosby's new picture, "The Star Maker."

## Democracy Lauded By Will Hays at Fair

Will H. Hays, M.P.P.D.A. president and leading citizen of Sullivan, Ind., spoke at the World's Fair yesterday in connection with the Indiana Day program.

Extolling the "spirit of Democracy," as known to Hoosiers, Hays urged liberal doses of it for other sections of America.

"In Indiana when there is a reason for discontent we meet it squarely," Hays said. "We correct the cause where there is a cause. . . . It is not the spirit of America to attempt to divide section against section, group against group, or sect against sect.

## Edward L. Riggs Dies

Cincinnati, June 1.—Edward L. Riggs, 29, assistant manager of the Palace, at nearby Aurora, Ind., was found dead in his home from a self-inflicted bullet wound.

# Studios Send Stars to S. A. For Goodwill

(Continued from page 1)

throughout South America is well known, yet the people seldom have the opportunity to glimpse a star in person.

The appearance of Henry Fonda, currently visiting at Santiago, Chile, marks the start of the celebrities' regular visits to this continent. They will be followed shortly by Annabella and Tyrone Power, who were married recently following a romance which became known here a year ago. Others will come at regular intervals, it has been indicated, and other companies and their stars may join in the southward trek later, it has been suggested.

The personal appearances, naturally, will have their practical side in that they will aid in increasing the popularity of the stars and their pictures. Increased attendance at theatres will benefit both exhibitor and distributor, adding to goodwill in this market.

### Hutchinson Outlines Product at Rio Meeting

Rio de Janeiro, June 1.—Walter J. Hutchinson, vice-president in charge of foreign distribution for 20th Century-Fox, outlined the company's 1939-'40 product at the opening session today of the three-day sales convention, the company's first in South America.

Sidney R. Kent, president, arrived today from New York, and was host at a cocktail party for the press. Other speakers at today's session, attended by about 40 salesmen, were Carlos Bavetta, managing director for Brazil; S. S. Horen, Argentine manager; Arthur Ruscica, manager in Chile, and Santiago Chiesa, Peru manager.

## More N. Y. Summer Closings Forecast

(Continued from page 1)

darken the New Empire on Sunday and the Dale, Bronx, on Monday, and is considering several others. Consolidated's Ascot, Bronx, has already closed, but this theatre closes every summer.

Rapf & Ruden will close the Broadmoor, Bloomfield, N. J., July 1. Rosenblatt & Welt will shutter the Orpheum, Jersey City. Neither circuit had closings last year. The Paradise, Brooklyn, closes June 7. The Metro, Fort Lee, has been shut.

## Something Fishy

**Kansas City, June 1.—It was really hot for the patrons of the Lyric at Plattsburg, Mo., the other evening. On one of the hottest evenings of the year, according to Tom Wilhoit, Lyric operator, someone deposited a mess of dead fish in the alley back of the theatre, which made it highly impracticable to turn on the air conditioning system, which draws its air supply from that region.**

# 'Chips' Draws Dayton Chiefs To Premiere

DAYTON, O., June 1.—With all the fanfare of a Hollywood opening, M-G-M held the midwest premiere of "Goodbye, Mr. Chips" at Loew's here tonight.

Mayor Charles J. Brennan and virtually all city officials attended. From the industry were William R. Ferguson and Oscar Doob, of the Loew and M-G-M advertising and publicity departments; M. J. Cullen, Columbus, M-G-M district manager; Russell A. Bovim, Columbus, O., city manager for Loew's; Wm. G. Bishop, Chicago district exploitation manager; J. M. Allen, William Devaney, M-G-M, Cincinnati; Barrett G. Kiesling, assistant publicity director, Culver City; Fred Oestreicher, publicity director, Loew's, Columbus.

Newspapermen from several cities were tendered a cocktail party and dinner at the Hotel Biltmore prior to the premiere. They were in charge of J. A. Watson, C. C. Deardorff and Harold Marshall, exploitation men.

Patron interviews following the showing were broadcast over WHIO.

"Goodbye, Mr. Chips" will open at Loew's State, Cleveland, and Loew's Ohio, Columbus, on June 8.

## *Milwaukee Unit Aids Film Tax Bill Fight*

MILWAUKEE, June 1.—Legislative committee of the Association of Commerce has voted to oppose the bill in the Wisconsin legislature which would assess a tax of $2.50 per 1,000 feet on film handled by exchanges operating in the state.

The tax measure was introduced by the Committee on State and Local Government and has been referred to the Committee on Corporations and Taxation, before which a hearing was held today. The entire industry in Wisconsin has cooperated to fight the bill.

## *Glass Sees Higher Budgets in France*

French producers are gradually increasing their budgets on a number of films which are being made with an eye on the American and English markets, according to Max Glass, French producer, who is in New York.

Glass will remain here for another week to arrange for distribution of two of his pictures, "Entente Cordiale" and "Imperial Tragedy," and then spend two weeks on the coast. He is considering the production of a film in Hollywood.

## *Run Play with Film*

CHICAGO, June 1.—Orson Welles will present a short play as the stage attraction at the RKO-Palace for one week, starting June 9. The Welles attraction is a new idea in stage presentation. It will be presented four or five times daily.

## *Garbo Film in Work*

HOLLYWOOD, June 1.—"Ninotschka," M-G-M film starring Greta Garbo, has gone into production, with Ernst Lubitsch directing. It is her first role since "Conquest."

# BANNER LINES

### By JACK BANNER

**A.F.R.A. MOVES IN** . . . A.F.R.A.'s prestige established by its network and out-of-town victories, the radio union has now moved in on the local New York City stations. Mrs. Emily Holt and George Heller of the union yesterday unexpectedly visited WMCA and presented a form of what it seeks. WHN and WNEW, which with WMCA comprise the "Class B" group of local stations, will receive visits from the A.F.R.A. delegation in the next day or so. The "Class C" stations, such as WOV, WBNX, WEVD, etc., also will hear from A.F.R.A.

Just what A.F.R.A. is seeking from the local stations Mr. Holt will not say at this early stage of the negotiations, but presumably A.F.R.A. will ask for the "A.F.R.A. shop," minimum wages, cause for dismissal, and other union benefits.

▼

**IN PRAISE OF WARNERS** . . . Warners' Charlie Einfeld comes in for some fine words in the current issue of TIDE, advertising magazine, for his astute short-wave radio campaign in behalf of "Juarez." Reginald Clough of the TIDE radio staff wrote the piece.

▼

**PHIL LORD'S NEW SHOW** . . . Prolific Phil Lord has bobbed up with still another program—a serial dramatization of the Kathleen Norris novels. The series will get its baptism next week over KYW, Philadelphia. If all goes well with the show during its 13-week tryout, it will probably go network. General Mills is sponsoring the trial.

▼

**THE PRESIDENT'S SON** . . . Elliott Roosevelt will shake the Texas alfalfa for a trial as a national commentator over Mutual, starting Saturday. To start, WOR, New York; WOL, Washington, and WAAB, Boston, will carry his addresses, in addition to the 23 stations of the Texas State Network over which he has been heard for some time past. Eventually, he is expected to receive a coast-to-coast hookup on Mutual. Emerson Radio Co. will sponsor young Roosevelt's series. First program will originate in New York, and thereafter he will shuttle between this city and Washington to deliver his talks.

▼

**PERSONALS** . . . Milton Biow, of the Biow agency, has sailed for Europe on vacation. . . . Johnnie Johnston, WOR publicity director, will sail for Europe June 7 to return with John Steele on the maiden sailing of the *Mauretania*. Steele is Mutual's foreign representative. . . . Irv Ashley, formerly of CBS, has been retained to handle radio exploitation for "The Little Foxes," current Broadway stage show. . . . Mann Holliner, director of radio for Lennen & Mitchell, expected back from Hollywood early next week. . . . Shirley Ross, wife of Ken Dolan, flew to the coast yesterday.

▼

**JOE E. BROWN STAYS** . . . General Foods, sponsors of Joe E. Brown's program on CBS, yesterday signed to continue the program through the summer. Program had been set to take a hiatus.

▼

**WILL ROGERS' MEMORIAL** . . . The three networks will broadcast the Will Rogers' Memorial services from Washington June 6 at 4 P. M. Sister of Rogers, a number of Oklahoma editors, the governor of Oklahoma and Senator Alben Barkley will participate in the ceremonies.

▼

**SQUALUS BENEFIT** . . . Radio and Broadway columnists have formed a committee to plan a benefit for the families of those who went down in the Squalus. The plan has received government sanction, and tonight the committee will meet to map a campaign. The active committee comprises Hy Gardner of the Brooklyn Eagle, Lou Sobol, Dorothy Kilgallen, "Dinty" Doyle of the Journal-American; Leonard Lyons, Leonard Carlton of the Post; Frank Farrell, George Ross, Alton Cook of the World-Telegram; Dan Walker, Bob Sylvester, Ben Gross, Sid Shalit of the News; Nick Kenny, Ted Friend, Bob Coleman of the Mirror; Malcolm Johnson of the Sun, Al Simon of WHN, Jack Harrower of Film Daily, and yours truly.

▼

**N.A.B. MEETS HERE** . . . N.A.B. committee working on the new code of program standards, met here yesterday at the Ritz Towers. Final draft of the code will be completed today, it is expected, whereupon printed copies of the code will be mailed to stations for inspection and comment. The code will be presented for adoption at the N.A.B. convention next month in Atlantic City. Present at yesterday's meeting were Neville Miller, president of N.A.B.; Gilson Gray and Janet McCrory of NBC, Ted Streibert of Mutual, Edgar Bill of Peoria, Herb Hollister of Wichita, Carl Wilder of El Paso, Paul Morency of Hartford, Ed Craney of Butte, Walter Damm of Milwaukee, Ed Kirby of the broadcasters association, and Bill Hedges, NBC vice-president.

## *Outlaw Picketing Ban*

DENVER, June 1.—A 34-year-old state anti-picketing law has been declared unconstitutional by the Colorado Supreme Court. The court held the statute violated free speech guarantees of the Constitution.

## *Screen "End of Day"*

A series of private showings for theatrical groups has been arranged on "The End of the Day," French film which will be released here in the fall by I. E. Lopert of Juno Films, Inc.

# First Telecast Of Ring Show Gets Acclaim

First experiment in televising
prize fight in this country was con
ducted last night by RCA-NBC whic
broadcast the event from Ya
Stadium in which Louis Nova
over Max Baer on a technical knock
out in the eleventh round.

Observers of the telecast at severa
places gave it as their opinion that th
test was successful. At the NB
studio, the big question among specta
tors was how soon such events woul
be received on large screens.

The broadcast was the forerunner
similar attempts by NBC.

Theatres which have television set
in their lobbies took full advantage o
the box-office draw of the fight b
television. The Paramount reporte
some 400 spectators drawn by th
"free ringside seats," the New Am
sterdam 300 and the Little Carnegi
100. These three, among others hav
ing receivers, had advertised the eve
on their marquees.

The televison camera was statione
about 40 feet from ringside. Camer
technique was good and the fighte
easily distinguishable. There wa
shadow interference when spectato
sprung up between the camera and th
objective, similar to shadow on a mo
tion picture screen. Another flaw wa
a haze, or "bloom," around the rim
the screens, probably caused by th
bright lights over the ring.

The fight was received on scree
8 by 7 and 9 by 12 inches. Unoffici
estimates place the number of hon
receivers in the metropolitan area
500.

## *Ford Summer Hour To Feature Melto*

The Ford Summer Hour, replaci
the company's Sunday night concer
for the summer season, will featu
James Melton, Francia White a
Don Voorhees' orchestra, and a 1
voice choir. A weekly guest arti
will be presented. The new seri
starts Sunday.

## *Replaces SAG Show*

Replacement program for t
Screen Actors Guild series has be
set by Young & Rubicam, agen
handling the Gulf account. The su
mer show will feature Erno Rape
orchestra, and singers Jan Peerce a
Jane Froman. It starts June 11
CBS.

## *Musical Quiz Series*

New musical quiz series will sta
over CBS Sunday from 6 to 6:
P. M. Series will have Ted Cott
master of ceremonies and David R
as intermediary. Prizes will cons
of tickets to Carnegie Hall conce
and autographed copies of books
music.

## *Writers on Air*

WQXR will broadcast exclusive
the addresses of Eduard Ben
Thomas Mann, Vincent Sheean a
others from the Third Americ
Writers Congress at Carnegie H
from 10 to 11 o'clock tonight.

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# ndependents Face Higher Surety Rates

## ay Take "Experience Rated" Policies

Study of recent rate increases for eatre liability policies indicates that ill further raises may be in store r many independent houses. Some them may be forced to take "experience rated" policies.

Questionnaires will be mailed this eek to members of New York Aled and the I. T. O. A. for data conerning policies and amount of coverge. The move is in accordance with e decision of the N. Y. Allied conention to study the problem of rate ises from 11 cents to 18 cents per 00 admissions.

Under an "experience rated" poly, premiums are increased or reuced in accordance with the number nd cost of claims filed against a polyholder. In most cases, ratings have een on the debit side and caused ineased premiums. In some instances, remiums for the basic $5,000-$10,000 olicy have been nearly doubled, alough credit generally has been reeived for coverage above the basic mount.

This would mean that an inde-

(Continued on page 2)

# KO Expects 250 At Rye Convention

Attendance at RKO's national sales nvention June 19-22 at the Westester Country Club, Rye, will be out 250, making it the largest in the ompany's history, according to Jules evy, general sales manager.

All salesmen from the company's 38 changes in this country and Canada ill attend, in addition to home office nd studio delegations, branch manaers, district and division managers, ome office field representatives and large representation from the comany's foreign organizations.

Among the latter will be Ralph anbury, United Kingdom; Ralph oyle, Australia; Nat Liebeskind, rgentina; Bert Reisman, Peru; Max omez, Mexico; Pedro Saenz, South merica; Reginald Armour, Contiental Europe; Leon Britton, Far ast; Bruno Cheli, Brazil; Fred S. ulbransen, Panama; Ned S. Secker, Cuban home office representative, nd Gus Schaefer, district manager r central and northern South Amerca.

# *World to Get Film News! Short Wave Broadcasts From Hollywood Billed*

Columbia Broadcasting System has offered to make available to the film industry a 15-minute, 5-day weekly program on short wave, to Latin-America and Europe, in which program the film companies will be enabled to broadcast motion picture news on an extensive world-wide scale direct from Hollywood.

These broadcasts are intended to promote international development of the film business besides encouraging interest in the radio company's short wave programs.

Such programs, it is believed, will help film companies greatly to supplement their South American film developments, in which the industry is so intensely interested at this time. The offer, essentially, is intended as a good-will stimulant for both sides.

The broadcasts will be given each day in a different language, including English, French, Portuguese and Spanish. CBS is giving the time and production free. Studios will provide translators and commentators.

NBC has offered a duplicate proposal which the companies are also considering.

This might be the opening wedge to a solution of the differences between radio and films with both working for a common purpose in this new venture.

Scheduled this week is a meeting of company representatives to consider both offers.

Records of the broadcast companies show that there is a great interest in short-waved motion picture news.

# *New Trust Suit Starts*

Anti-trust suit against the eight major companies, Monogram, Republic, Randforce Amusement Corp., Samuel Rinzler and Louis Frisch, (operators of Randforce) for $750,000 triple damages was filed Friday in the U. S. District Court by Folly Amusement Holding Corp., former operator of the Folly, Brooklyn.

Complaint charges violation of the Sherman anti-trust act. Randforce, the complaint alleges, attempted to force the plaintiff to sell the Folly, which is in the neighborhood of the Randforce houses, Alba, Rainbow, Commodore and Republic. When this effort failed, the complaint continues, Randforce secured from the other defendants exclusive rights, special privileges and preferences for its houses.

As a result of unreasonable clearance and failure to secure satisfactory

(Continued on page 2)

# *Showing of Banned Films Must Cease, Warns Moss*

New York License Commissioner Paul Moss has served notice that non-theatrical showings in the city of pictures which have not been approved by the N. Y. State Censor Board will not be tolerated.

The commissioner held a hearing Friday of officials of the New School for Social Research, who held a screening of "The Puritan," French film banned by the state censor.

Moss's attention had been called to the all-day screening of the picture recently in the school's 500-seat auditorium by an article in MOTION PICTURE DAILY. The showing was under the auspices of Film Audiences for Democracy, a recent merger of Associated Film Audiences and Films for Democracy, and the Theatre Arts Committee.

Officials of the New School pleaded ignorance at the Friday hearing, and were excused with a warning that showings of banned films will subject them to penalties in the future.

Commissioner Moss explained Friday that actually films cannot be shown, even in private homes, without a license from his office, but that obviously it is impossible to regulate home showings. The commissioner, in granting licenses, governs himself by the action of the N. Y. State Censor Board, and will not license the showing of unapproved films.

He declared that the elimination of

(Continued on page 2)

# Neely Defends Bill in Lengthy Senate Report

## *Law Will Mean No Loss To Industry, Claim*

WASHINGTON, June 4.—Declaring that his block booking bill meets "in as moderate a manner as possible" a need for legislation which is constantly growing more acute, Senator Neely over the week end made available his formal report on the measure to the Senate.

In a 15-page discussion of the exhibition situation, backed up by a four-page brief on the constitutionality of the legislation, the Senator asserted that enactment of the bill "cannot result in loss to the industry as a whole" since the playing time of the theatres is fixed and loss from the curtailment of time for poor pictures will be more than compensated for by the playing time of good ones.

"What the Big Eight fear is loss of monopolistic privileges over and above the legitimate rewards of enterprise—privileges that have been enjoyed so long that they are now regarded as vested rights," he reported.

"These privileges have given rise to great benefits as indicated by the executive salary list printed in the record. One Hollywood executive received, in

(Continued on page 6)

# Silence Rules Over West Coast Break

Whatever moves, if any, will be made by Fox-West Coast (National) in answer to the position taken by Warner Bros. in selling away from that circuit have not yet appeared. Various principals questioned here and on the Coast over the weekend were not prepared to make statements.

Spyros Skouras, head of National Theatres, didn't care to comment. There has been no statement issued by Charles Skouras.

In various segments of the press this situation was discussed as the opening of a campaign by Warner Bros. to end double bills for all time. The statement, made by Gradwell Sears, Warner Bros. general sales manager, on the coast, confined itself to the alleged practice of double billing top rate pictures.

The stand taken by Warner Bros. recalls the sales deal dispute of several years ago between Paramount and Warner Bros., which was one of the major booking controversies in trade history.

# Banned Film Shows Must Cease—Moss

(*Continued from page* 1)

an admission charge for attendance does not automatically clear the way for such screenings, and he warned that showing of such films will be followed by a permanent loss of screening licenses.

At the time of the showing of "The Puritan" exhibitor leaders in New York unanimously protested the direct competition which such screenings offered to established motion picture theatres. Commissioner Moss expressed himself as entirely in sympathy with their protest.

The New School for Social Research had sought to circumvent the law by requiring that each person pay an "assessment fee" of 50 cents, rather than an admission charge.

## *Theatres Face New Surety Rates Boost*

(*Continued from page* 1)

pendent house might find itself with liability insurance cost raised from 11 cents to 36 cents per 100. New York law requires all companies paying $500 or more annually for liability insurance to be "experienced rated."

At the old 11-cent rate, 454,000 annual admissions brought premiums up to the $500 mark but this now has been reduced to 280,000 under the 18-cent rate.

Several plans are under consideration for a cooperative solution of the problem of increased rates. Arthur Pelterson, of the Mitchell May, Jr., office has prepared the questionnaires and will present a proposal based on the answers received. Pelterson will work with a joint committee of Allied and I. T. O. A.

## *Colorado Theatres Undergo Rebuilding*

Fox Intermountain Theatres in the Denver area have built or reconstructed 37 theatres in the last few years, it is disclosed by Rick Ricketson, division head, who is visiting in New York. Ricketson said it is the circuit's plan to build or rebuild two theatres each year.

The circuit is completing plans for a house in Longmont, Colo., to seat 900, which will mean two theatres for Fox Intermountain in the town. A theatre in Laramie, Wyo., is being rebuilt and modernized.

A major reconstruction is of the Broadway in Denver, which is one of the city's landmark's. Seats 50 years old are being replaced, and modernization includes the building of loges. Originally seating 1,400, the theatre will have 800 seats when completed, with the galleries closed off.

## *Miriam Howells, Ill, Quits Goldwyn Post*

Miriam Howells has resigned as story editor of Samuel Goldwyn productions because of illness. She has no other commitments and will leave shortly for a rest.

# *Purely Personal*

JAMES ROOSEVELT, vice-president of Samuel Goldwyn, Inc., arrives from the coast today.

•

BARRETT C. KIESLING, M-G-M coast exploitation man, has recovered from malaria, which confined him to a hospital in Memphis, and attended the premiere of "Goodbye, Mr. Chips" in Dayton, O., late last week.

•

TERRY KILBURN, 11-year-old, and ALAN CURTIS have been borrowed from M-G-M by 20th Century-Fox, the former for "The Adventures of Sherlock Holmes" and the latter for "Falling Stars."

•

BOB BREEN has been honored with a gold plaque making him a honorary life member of the famous Boys' Republic of Arlington, Va. He was cited as one of the 30 outstanding Americans of 1939.

•

K. MATZNER, manager in Hungary for 20th Century-Fox under BEN MIGGINS, continental European head, and winner of the Hutchinson European merit award for 1938, arrives late this month.

•

J. J. Fitzgibbons, vice-president of Famous Players Canadian Corp., is recuperating at his home in Toronto, following his recent discharge from St. Mary's Hospital, Rochester, Minn.

•

FREDERIC ULLMAN, JR., who has been at Callander, Ontario, as production chief on the new Dionne quintuplets film, "Five Came Back," returned to New York over the week-end.

•

SONJA HENIE, with her mother, MRS. SELMA HENIE, are stopping at the Waldorf-Astoria, prior to sailing Wednesday on the *Queen Mary* for a vacation abroad.

•

T. G. BARBER, export manager of American Seating Co., is convalescing in the Catskills following a recent throat infection.

•

J. DON ALEXANDER and MRS. ALEXANDER were hosts to a party of friends yesterday on their yacht, "2 Smiles."

•

ERICH POMMER leaves for the coast by plane tomorrow to attend the Paramount national sales convention.

•

A. G. DOYLE, 20th Century-Fox managing director for Japan, is visiting in Buffalo, his home town.

•

MURA, well-known Italian playwright, is in New York after a two months' stay in Hollywood.

•

BEN KALMENSON, Warner western and southern sales manager, is visiting midwest branches.

•

EDDIE DOWLING opens a week's engagement of "Our Town" tonight at the Albee, Providence.

•

GREGORY DICKSON, due here early this week, plans to vacation in the east six weeks.

•

H. J. YATES, head of Consolidated Film, is due from the coast next week-end.

•

P. L. PALMERTON, managing director of the Western Electric Co., Ltd., London, and JOHN RILEY, company's chief engineer in England, are due here this week for conferences and expect to return about June 15.

•

LILY PONS and ANDRE KOSTELANETZ celebrated their first wedding anniversary with a party Friday night at their home in Silvermine, Norwalk, Conn.

•

JACK COHEN, GUS EYSSELL, M. A. SCHLESINGER, SAM SHAIN, WALTER WINCHELL, HARRY RITZ among those dining at Moore's Friday night.

•

ANATOLE LITVAK, Warner director, and MIRIAM HOPKINS, (MRS. LITVAK) arrive this morning from the coast for a vacation.

•

LADY DUNN, with a print of "In Mozart's Footsteps," arrives today on the *Queen Mary*. FRED ASTAIRE is also aboard.

•

PAUL NATHAN, secretary to HAL B. WALLIS, Warner executive producer, is in town for a two-week vacation.

•

ELEANOR POWELL returned to the Coast over the week-end after a personal appearance tour in the East.

•

BILL SAAL, Republic representative, is back in town after an extended trip.

## *Robinson Contact For Jersey Allied*

Charles Robinson, former New Jersey exhibitor, has been appointed field contact man by Allied Theatre Owners of New Jersey. The position has been vacant since E. Thornton Kelly resigned as executive secretary to take a similar post with New York Allied.

Robinson operated the Mount Prospect in Newark many years and recently the Cameo, Jersey City.

The unit's next meeting will be held tomorrow in the Sardi Building. Larger quarters will be taken shortly in the same building.

## *Audio-Eastern Elects*

Frank K. Speidell has been re-elected president of Audio Productions and Eastern Service Studios. Charles L. Glett has been renamed vice-president of the studio company in charge of productions. A. J. Wilson is vice-president of Audio in charge of Industrial productions. G. C. Wagner continues as secretary-treasurer of both companies and P. J. Mooney as assistant secretary.

## *New Warner Service*

As a service to visiting exhibitors, Warners has established an information service at its home office, 321 W. 44th St., with Mrs. Isabel Turner of the advertising-publicity department in charge.

## *'Ecstasy' Loses Again*

ALBANY, June 4.—The Supreme Court's civil jury will not view a revised version of "Ecstasy," banned film. Justice Gilbert Schenck has sent the case to the Appellate division.

# Independents File Another Trust Actior

(*Continued from page* 1)

product, plaintiff was compelled t form a subsidiary, Lyric Frolics, Inc and affiliate with the Springer C[illegible] Corp. in May, 1938, and was d[illegible] sessed in November, the complaint a leges.

Ida Shereff, as secretary-treasur of Folly Amusement Corp., signed t complaint.

### U. S. Suit Settlement Discussion Continues

Discussions looking to a possib settlement of the Government ant trust suit have been held betwe major company counsel and Depar ment of Justice officials and are to continued, it was learned over t weekend.

The peace endeavor is described having two phases, the attempt discover whether or not a basis f an agreement exists and, if so, th the attempt to devise a procedure which a truce could be effected. T discussions, it is stated, have not pro ressed beyond the first stage yet.

The talks are understood to ha taken place here and in Washingt In addition, some phases have be explored in correspondence betwe defendants' counsel and departme officials.

Defense attorneys declined to es mate the chances of a settlement, e plaining that so little progress h been made to date that no basis f such a prediction exists. It w pointed out that the defendant co panies and the Government, for e ample, are as far apart now in th views on theatre divorcement as th were when the action was begun.

## *Fight Chicago Ban On "Oppenheime*

CHICAGO, June 4.—Various ci organizations are seeking to have t Chicago police censor board retr its ban on "The Oppenheimer Famil Russian anti-Nazi film scheduled f the Sonotone. Lieut. Harry Coste censor chief, said the film "exposes contempt, derision or obloquy a cl of citizens."

MOTION PICTURE
DAILY
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# Great!

# YOUNG Mr. LINCOLN

Seldom in the history of this business has a picture so won audiences and evoked such an enthusiastic reaction as YOUNG MR. LINCOLN in its every showing—Springfield, Ill., New York City, Baltimore, Toledo, Atlantic City, elsewhere—living up to every word of praise heaped upon it the nation over!

*from 20th when hits mean most!*

# 'Juarez' Hits Big $18,000, Philadelphia

PHILADELPHIA, June 4.—"Juarez" was the leader here with $18,000 at the Boyd. "Rose of Washington Square" drew a strong $17,000 in 11 days at the Stanley. Other grosses were only fair, largely due to the record-breaking heat.

Estimated takings for the week ending June 1:

**"Stolen Life" (Para.)**
ALDINE—(1,300) (32c-42c-57c) 11 days. Gross: $8,000. (Average, 7 days, $8,160)
**"Can't Take It With You" (Col.)**
ARCADIA—(600) (25c-42c-57c) 3 days. Revival. Gross: $800. (Average, 7 days, $2,800)
**"Juarez" (W. B.)**
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $18,000. (Average, $14,000)
**"The Gorilla" (20th-Fox)**
EARLE—(26c-32c-42c) 7 days. Gross: $5,500. (Average, $8,000)
**"Bridal Suite" (M-G-M)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days. (6 days stage.) Stage: Arthur Treacher, Marion Talley, Frankie Masters Band. Gross: $15,000. (Average, $16,000)
**"Wuthering Heights" (U. A.)**
KARLTON—(1,000) (25c-42c-57c) 7 days, 2nd run. Gross: $5,000. (Average, $4,000)
**"Lucky Night" (M-G-M)**
KEITH'S—(2,000) (25c-42c-57c) 10 days, 2nd run. Gross: $4,000. (Average, 7 days, $4,000)
**"Confessions of Nazi Spy" (W. B.)**
PALACE—(1,000) (26c-42c) 7 days, 3rd run. Gross: $3,500. (Average, $4,500)
**"Rose of Washington Square" (20th-Fox)**
STANLEY—(3,700) (32c-42c-57c) 11 days. Gross: $17,000. (Average, 7 days, $14,000)
**"Blind Alley" (Col.)**
STANTON—(1,700) (32c-42c-57c) 6 days. Gross: $3,400. (Average, 7 days, $7,000)

# 'Wuthering' Does $17,000 in Detroit

DETROIT, June 4. — "Wuthering Heights" and "The Gracie Allen Murder Case" led the field here with a strong $17,000 at the Michigan.

Estimated takings week ending June 1:

**"Rose of Washington Square" (20th-Fox)**
**"Missing Daughters" (20th-Fox)**
ADAMS—(1,700) (15c-40c) 7 days. Gross: $6,500. (Average, $5,000)
**"Only Angels Have Wings" (Col.)**
FOX—(5,000) (20c-65c) 7 days. Stage: Erik Rhodes and Harmonica Rascals. Gross: $25,000. (Average, $20,000)
**"Wuthering Heights" (U. A.)**
**"Gracie Allen Murder Case" (Para.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $17,000. (Average, $10,000)
**"Oklahoma Kid" (W. B.)**
**"Hotel Imperial" (Para.)**
PALMS STATE—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $5,000)
**"Man of Conquest" (Rep.)**
UNITED ARTISTS—(2,000) (20c-65c) 7 days. Gross: $12,000. (Average, $10,000)

# *'Only Angels' Good For $6,200 in Omaha*

OMAHA, June 4.—"Only Angels Have Wings," dualed with "Rookie Cop," hit $6,200 at the Brandeis. "Lucky Night" and "Kid from Texas" at the Omaha drew $7,100.

Estimated takings for the week ending May 31-June 1:

**"Only Angels Have Wings" (Col.)**
**"Rookie Cop" (RKO)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $6,200. (Average, $4,000)
**"Lucky Night" (M-G-M)**
**"Kid From Texas" (M-G-M)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,100. (Average, $6,000)
**"Dodge City" (W. B.)**
**"Family Next Door" (Univ.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $8,200. (Average, $7,600)

# *Theatre, Personnel Notes*

### Remodel 2 in Wisconsin

JANESVILLE, Wis., June 4.—In assuming the leases on the Myers and Beverly here from James Zanias, the Fox Janesville Corp., Fox Wisconsin Amusement Corp. subsidiary, plans extensive modernization of both theatres. Russell Leddy, former district manager for Fox, has been named manager of the local houses.

### Buy Kansas City House

KANSAS CITY, June 4.—Vogel Gettier, associated with circuit and independent theatre operation in the midwest for some years, and Alexander Sabry have taken over the Colonial from E. E. Webber and W. D. Fulton.

### Detroit House Closes

DETROIT, June 4.—The United Artists here has closed and the Fox has dropped stage shows and switched to double bills. The changes leave four first runs showing duals and no stage entertainment in the city's houses.

### Lam Closes with Altec

Oscar O. Lam has signed with Altec to service his theatres in Cedartown, Newman and LaGrange, Ga., in addition to the three Rome, Ga., houses already being serviced. H. B. Moog negotiated the deal for Altec.

### Takes Indianapolis House

INDIANAPOLIS, June 4. — Joe Cantor, owner of the Rivoli and Emerson, de luxe neighborhoods, has acquired a smaller house, the Garrick, on long-term lease. After remodeling, it will be named the Esquire.

### Takes K.C. Theatre

KANSAS CITY, June 4.—Harry A. Beynon has taken over the Ritz here from H. H. Barrett, who has operated it since 1925. Barrett is retiring because of ill health.

### Quits Denver Theatre

DENVER, June 4.—James Howell has resigned as manager of the Roxy, and Abel Davis, owner, plans to remodel the house this summer.

### Closes House in Denver

DENVER, June 4. — Ed Mapel has closed the Tivoli for the summer. This will leave him two other grind houses here.

### Hoppen Repurchases House

DENVER, June 4. — Paul Hoppen, formerly operating the Plaza and Palace, has purchased the houses from Ruptle & Wagner.

### Books Foreign Films

Ronson, Newark, has changed its name to the Polonia and will play Polish and Hungarian films.

### Wangberg Promoted

KANSAS CITY, June 4.—RKO has promoted John Wangberg, office manager at the exchange here for two years, to home office representative, with supervision of the New Orleans, Charlotte, Atlanta, and Dallas exchanges.

### Matteson to News Theatre

PHILADELPHIA, June 4.—Bill Matteson, former manager of the Trans-Lux, and later of the Studio, will take over as manager of William Goldman's News Theatre. House operates on a policy of revivals and complete newsreels.

### Columbus House Closed

COLUMBUS, O., June 4.—The Majestic, one of the three local RKO units, playing double features, has gone dark. No announcement has been made by C. Harry Schrieber, city manager, as to when the house will reopen.

### Collins U. A. Manager

DENVER, June 4. — Earl Collins, salesman, has been named manager of the U. A. Denver exchange, where he succeeds Al Hoffman, manager for several years. Hoffman goes on the road for the company.

### Two Close in Philadelphia

PHILADELPHIA, June 4. — Warners have installed a new cooling system in the Stanley here. The Fox has been reseated. The Aldine, first run, and Keith's second run, have closed for the summer.

### Hutchinson City Manager

LENOIR, N. C., June 4.—Andrew A. Hutchinson, former manager of Lenoir Theatres, Inc., here, has been named city manager for the circuit in Anderson, N. C.

### Two in Philadelphia Shut

PHILADELPHIA, June 4.—The Aldine and Keith's, Warner houses, have closed. Aldine is a first run house, Keith's a second run.

### Boost to Warners

DENVER, June 4.—Frank Boost, recently assistant manager of the State, has joined the Warner exchange as shipper.

### Joins Monogram

KANSAS CITY, June 4. — M. G. Shackelford, formerly with Republic-Midwest, has joined Monogram here as salesman for Kansas.

### Building in Shelby, N. C.

SHELBY, N. C., June 4. — George D. Washburn is building a $40,000 house here to seat 500.

## *Milwaukee Stops Tavern Film Shows*

MILWAUKEE, June 4.—An investigation to determine how many taverns are showing silent pictures as part of their entertainment program and to determine whether such places comply with safety standards has been ordered by Leon M. Gurda, building inspector.

Assistant City Attorney Carl F. Zeidler said that tavern operators would have to comply with safety standards if they showed films.

## *Trooping of Colors Telecast Scheduled*

LONDON, June 4. — All Gaumont British theatres equipped with Baird television apparatus will televise "Trooping of the Colors," the annual ceremony in honor of the King's official birthday, on June 8.

This will be the first subject to be televised for a second time. In June, 1938, it was shown at the Tatler on a screen eight by six feet. Improvements in television over the past 12 months will be observed by officials.

# 'Nazi Spy' Is Frisco's Best With $16,50

SAN FRANCISCO, June 4.—"Confes sions of a Nazi Spy" and "Some Lik It Hot" took a strong $16,500 at th Warfield.

"Sorority House" grossed a [illegible] $17,000 with vaudeville at the Golde Gate.

Estimated takings for the week en ing May 23-26:

**"Sorority House" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) days. Stage: vaudeville. Gross: $17,0 (Average, $15,000)
**"It's a Wonderful World" (M-G-M)**
**"On Trial" (W. B.)**
PARAMOUNT—(2,740) (15c-35c-40c-5 75c) 7 days. Gross: $12,500. (Averag $11,500)
**"Rose of Washington Square" (20th-Fo**
**"Mr. Moto in Danger Island" (20th-Fox)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 da 2nd week. Gross: $14,000. (Average, $16,0
**"San Francisco" (M-G-M)**
**"The Champ" (M-G-M)**
ST. FRANCIS—(1,400) (15c-35c-40c-5 75c) 7 days. Gross: $5,400. (Avera $6,000)
**"Stagecoach" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-4 55c-65c) 5 days, 3rd week. Gross: $5,0 (Average, $8,000)
**"Confessions of a Nazi Spy" (W. B.)**
**"Some Like It Hot" (Para.)**
WARFIELD—(2,680) (15c-35c-40c-55c-7 7 days. Gross: $16,500. (Average, $12,000
**"Only Angels Have Wings" (Col.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) days. Gross: $8,200. (Average, $8,000)
**"Abused Confidence" (Col.)**
CLAY—(400) (15c-35c-40c) 7 days, 2 week. Gross: $850. (Average, $1,000)
**"The 400 Million" (Joris Ivens)**
LARKIN—(390) (15c-35c-40c) 7 days, 2 week. Gross: $800. (Average, $1,000)

# Cincinnati Gives 'Lucky' $21,50

CINCINNATI, June 4. — "Luc Night" plus Benny Goodman's orche tra on the stage took a smash $21,5 at the RKO Albee. "It's a Wonderf World" did $10,500 at the RKO P ace, and "Union Pacific" had a $3,1 third week at the RKO Grand.

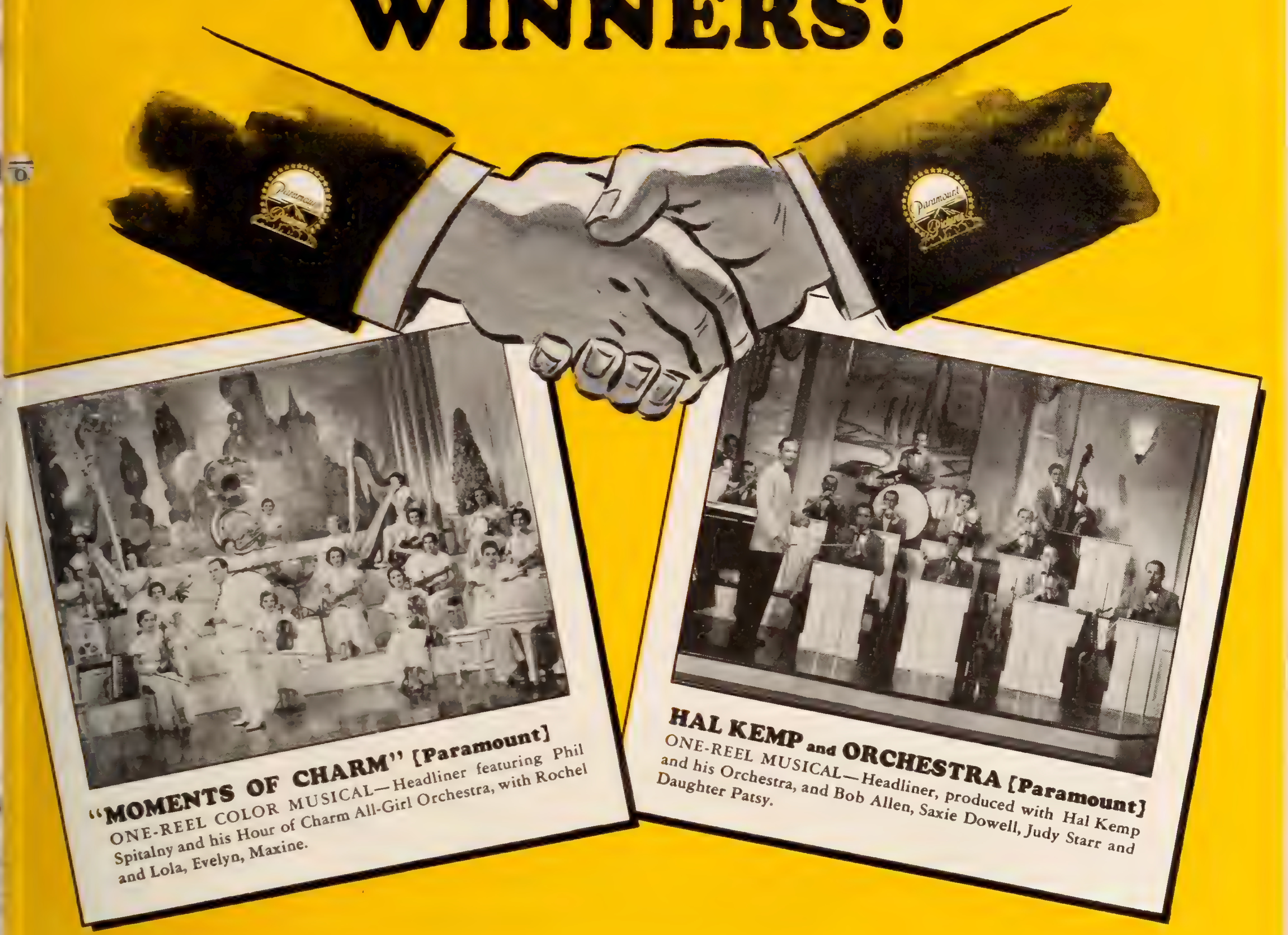
Estimated takings for the week en ing May 31-June 3:

**"Lucky Night" (M-G-M)**
RKO ALBEE—(3,300) (35c-42c-60c) days. Stage: Benny Goodman's orchest Gross: $21,500. (Average, $12,000)
**"It's a Wonderful World" (M-G-M)**
RKO PALACE—(2,700) (35c-42c) 7 da Gross: $10,500. (Average, $10,000)
**"The Mikado" (Univ.)**
RKO SHUBERT—(2,150) (35c-42c) days, 2nd week. Gross: $3,000. (Avera $10,000)
**"The Hardys Ride High" (M-G-M)**
RKO CAPITOL—(2,000) (35c-42c) 7 da 2nd week. Gross: $4,400. (Average, $6,5
**"Rose of Washington Square" (20th-F**
RKO LYRIC—(1,400) (35c-42c) 7 da 2nd week. Gross: $4,200. (Average, $5,0
**"Union Pacific" (Para.)**
RKO GRAND—(1,200) (25c-40c) 7 da 3rd week. Gross: $3,100. (Average, $2,7
**"Street of Missing Men" (Republic)**
**"The Lady and the Mob" (Col.)**
RKO FAMILY—(1,000) (20c-30c) 4 da Gross: $1,100. (Average, $1,100)
**"Fixer Dugan" (RKO)**
**"For Love or Money" (Univ.)**
RKO FAMILY—(1,000) (20c-30c) 3 da Gross: $850. (Average, $900)
**"The Gorilla" (20th-Fox)**
KEITH'S—(1,500) (30c-40c) 6 da Gross: $3,750. (Average, 7 days, $6,000)

## *William Boag Dies*

William Boag, 72, for 30 yea stage manager for David Belas died Friday night at his home in Do gan Hills, S. I. He was stage ma ger for David Warfield for nearly years before joining Belasco.

# SHAKE HANDS WITH THE WINNERS!



**"MOMENTS OF CHARM" [Paramount]**
ONE-REEL COLOR MUSICAL—Headliner featuring Phil Spitalny and his Hour of Charm All-Girl Orchestra, with Rochel and Lola, Evelyn, Maxine.

**HAL KEMP and ORCHESTRA [Paramount]**
ONE-REEL MUSICAL—Headliner, produced with Hal Kemp and his Orchestra, and Bob Allen, Saxie Dowell, Judy Starr and Daughter Patsy.

● Paramount Headliners proved themselves Headliners again this year by grabbing the only two Jay Emanuel Awards for Musical Short Subjects. Phil Spitalny and his All-Girl Orchestra received the award for the best color short, "Moments of Charm" and Hal Kemp and his Orchestra took the medal for the best black and white musical short.

Congratulations, Phil...Congratulations, Hal...and, if you boys don't mind, we'll take a little bow ourselves for turning out the best musical shorts in the business.

**( Paramount's "A SONG IS BORN" and "SCHUBERT'S UNFINISHED SYMPHONY" were the two runners-up. Competing against the entire industry's band shorts . . . *Paramount walked off with every prize!* )**

# Neely Defends Bill in Lengthy Senate Report

(*Continued from page* 1)

1937, a salary that exceeded the combined salaries of the 96 United States Senators. Most of all, they fear competition."

Neely attacked the producers' trade practice proposals as perpetuating block booking and blind selling, and called attention to the Government's New York suit and its primary purpose of divorcing exhibition from production and distribution.

"In no other industry are all of the risks of the manufacturer or producer passed on to the retailer and the consumer," the report said. "The Big Eight designate a certain number of pictures to be paid for on the basis of a stated percentage of the gross receipts of the theatres while showing such pictures. But these designations are not made until after the box-office value of the picture has been determined by test runs, so that no risk is involved so far as the Big Eight are concerned.

"The independent exhibitor, in order to get any films, is obliged by contract to accept and pay for all that the producer sees fit to release during the contract period—one year. He cannot cultivate the good will and suit the preferences of his patrons by selecting the pictures best calculated to please them. Subject only to minor exceptions, the rule is 'All or none'."

To meet objections of producers that Section 4 will be unduly burdensome, Senator Neely disclosed in his report that he would seek an amendment to the bill, when brought up on the floor, simplifying the synopses requirements to provide for a general outline of the story and description of the principal characters and a statement describing the manner of treatment concerning any scenes depicting vice, crime or suggestion of sex.

## *Court Orders Detail In Universal Action*

Federal Judge John W. Clancy on Friday directed Howard Y. Bary, plaintiff in a $307,000 damage action against Universal Pictures Co., Inc., Lester Cowan, W. C. Fields and Al Wagner and Ann Dempster, trading as Al Wagner Theatrical Agency, to file a detailed statement of his complaint.

The plaintiff charges the defendants with inducing the breach of a contract which he had with Alverson Blacaman and his troupe and furthermore claims plagiarism of his story, "A Circus Episode," in the Universal film, "You Can't Cheat an Honest Man."

## *Para's Plea to Kill Stock Suit Delayed*

Application of Paramount Pictures, Inc., to dismiss the stockholders' suit brought by Frank Jablow and Sam Acker for alleged waste and mismanagement was adjourned to June 9 because of the service of an amended complaint upon Paramount. Plaintiffs have added to the old complaint by including charges referring to transactions of Paramount with the Hoblitzelle and A. H. Blank circuits.

# *Summer Weather Takes Toll of Theatre Receipts*

Unseasonable summer weather has taken its toll of box-office grosses in key city theatres over the country, according to MOTION PICTURE DAILY'S tabulation of theatre receipts.

The aggregate business of 155 theatres during the week ending May 25-26 was $1,274,050, a decrease of $44,250 from the $1,318,300 total recorded in the week ending May 18-19 from 154 houses. The most recent total compares with $1,639,300 from 154 theatres for the week ending April 13-14.

Tabulation of key city grosses weekly from Sept. 8-9 follows:

| | *No. Theatres* | *Gross* |
|---|---|---|
| Sept. 8- 9 | 138 | $1,572,099 |
| Sept. 15-16 | 137 | 1,407,481 |
| Sept. 22-23 | 138 | 1,382,059 |
| Sept. 29-30 | 137 | 1,398,438 |
| Oct. 6- 7 | 137 | 1,519,793 |
| Oct. 13-14 | 138 | 1,429,288 |
| Oct. 20-21 | 138 | 1,430,924 |
| Oct. 27-28 | 140 | 1,394,023 |
| Nov. 3- 4 | 142 | 1,353,407 |
| Nov. 10-11 | 141 | 1,386,939 |
| Nov. 17-18 | 143 | 1,323,918 |
| Nov. 24-25 | 141 | 1,283,153 |
| Dec. 1- 2 | 142 | 1,461,730 |
| Dec. 8- 9 | 140 | 1,275,136 |
| Dec. 15-16 | 134 | 1,159,371 |
| Dec. 22-23 | 139 | 1,041,911 |
| Dec. 29-30 | 150 | 1,562,044 |
| Jan. 5- 6, 1939 | 151 | 1,829,822 |
| Jan. 12-13 | 145 | 1,372,400 |
| Jan. 19-20 | 146 | 1,368,322 |
| Jan. 26-27 | 145 | 1,345,715 |
| Feb. 2- 3 | 147 | 1,469,400 |
| Feb. 9-10 | 147 | 1,494,600 |
| Feb. 16-17 | 146 | 1,393,100 |
| Feb. 23-24 | 147 | 1,417,700 |
| March 2- 3 | 146 | 1,400,000 |
| March 9-10 | 147 | 1,352,050 |
| March 16-17 | 155 | 1,366,800 |
| March 23-24 | 154 | 1,439,600 |
| March 30-31 | 151 | 1,322,225 |
| April 6- 7 | 151 | 1,283,100 |
| April 13-14 | 154 | 1,639,300 |
| April 20-21 | 149 | 1,432,900 |
| April 27-28 | 151 | 1,401,600 |
| May 4- 5 | 154 | 1,386,280 |
| May 11-12 | 155 | 1,352,845 |
| May 18-19 | 154 | 1,318,300 |
| May 25-26 | 155 | 1,274,050 |

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# *Hollywood Preview*

## *"The Sun Never Sets"*

(*Universal*)

HOLLYWOOD, June 4.—Designed as a tribute to Britain's consular service, prime appeal of "The Sun Never Sets" is to those to whom the glory of the empire and its servants is a tradition. It is wordy and long drawn out, with spectacular action isolated in the last few minutes. There are many long times in which the characters are merely talking or looking out of windows.

Patriotic duty, heroism and sacrifice, of course, are stressed in flag-waving style, yet when the story concerns itself with love interest, pathos is stressed. With an exception or two, comedy is practically absent.

For centuries, members of the "Randolph" family have served England in overseas consular service. Maintainence of a proud tradition is the life aim of Basil Rathbone. His younger brother wants no part of it, but is inveigled into service by his grandfather, C. Aubrey Smith. Both are assigned to the African Gold Coast, a point from which a mysterious war-mongering propaganda via radio is emanating. Fairbanks' dereliction in duty in consideration of brother's wife, Barbara O'Neil, who is about to have a baby, brings a disgraceful recall to Rathbone who suspects psuedo-scientist Lionel Atwill as enemy of national peace.

Suddenly realizing his duty, Fairbanks spies out Atwill's radio and through the use of an old family phrase brings a fleet of bombing planes to destroy it. The family tradition upheld, Rathbone is reinstated and Fairbanks looks forward to a great career in his country's service.

While Fairbanks and Rathbone carry the show, valuable contributions are made by Miss O'Neill, Virginia Field, Atwill, Smith, Melville Cooper and Theodore Von Eltz. Rowland V. Lee was producer and director. Running time, 100 minutes. G. McC.

# Judge To See 'Spy' In Kuhn Suit on Film

Federal Judge Leibell Friday aske
that Warners' film, "Confessions c
a Nazi Spy," be shown in U. S. Dis
trict Court on June 13 to aid h[illegible] i
deciding the application of [illegible]t
Kuhn, German-American bund leade
Kuhn seeks to restrain Warners fro
showing the film, contending that i
untruthfully depicts the Bund as be
ing engaged in espionage activities.

Affidavits of Stanley Freedma
Leon G. Turrou, former G-man, Mo
B. Blumenstock and Carl Leserma
were submitted Friday for Warne
Bros. charging Kuhn with hypocris
Leserman stated that the film co
$700,000 and had future contracts fo
9,000 play dates, with a total esti
mated gross of $1,875,000.

Kuhn, in an affidavit, accused War
ner Bros. of "attempting to lynch hi
in the public eye." Continued argu
ment, if necessary, will be heard o
June 14.

### Mexico O.K.'s "Spy"

MEXICO CITY, June 4.—The Stat
Censor Board here has approve
Warners' "Confessions of a Na
Spy." The feature is being release
throughout Mexico this week.

# Interstate Aiding Community Work

DALLAS, June 4.—Texas Interstat
circuit plans to extend its communit
work along lines suggested by Ka
Hoblitzelle, president. The circu
is undertaking a campaign in Texa
public schools to promote traffi
safety with the cooperation of loc
theatres.

Robert J. O'Donnell, circuit gen
eral manager, plans to give speci
shows for children, the proceeds t
be used to purchase badges for junio
traffic directors and copies of Irvin
Caesar's "Sing a Song of Safety.
Caesar will probably travel south i
the fall to "sell" safety to youn
Texans. He has appeared in man
public schools in the east in connec
tion with safety programs.

Hoblitzelle has also suggeste
sponsorship of contests among hig
school bands, with probable benefi
performances where instruments ar
needed.

## *Authors Win Extra Plagiarism Awar*

An additional $16,470 was recom
mended for Edward Sheldon and Mar
garet Ayer Barnes, authors, by Specia
Master Kenneth E. Walser in Federa
Court Saturday for alleged plagiaris
of "Dishonored Lady" in M-G-M'
"Letty Lynton." The authors had pre
viously been awarded $532,000 agains
Loew's and subsidiaries, on which a
appeal will be heard this month. Sat
urday's award was made against More
dall Realty Corp., operators of th
Capitol.

# War, Biography and History Form New Cycle of Films

War or conquest will form the sic theme or production background approximately 30 per cent of the atures planned for 1939-'40, a sur-ey indicates. Also the trend among ajor companies and independents is ward outdoor action pictures.

Paramount and RKO have not yet [illegible]sed their new season production ans, but the former has "Beau este" and "Geronimo" ready for re-ase, and the latter will have the erbert Wilcox picture, "Nurse dith Cavell."

Columbia plans several such films, including "Arizona," "Tree of Liberty" and "The Pioneers."

War, of course, is the background of "Gone With the Wind," as it is of Goldwyn's "The Real Glory," Hal Roach's "Captains Cautious" and Edward Small's historical biographies, "Quantrill, the Raider" and "Kit Carson."

"Thunder Afloat," "War Eagles," "Soldiers Three," "Northwest Passage" and "Journey's End" will be M-G-M contributions to the predominant trend and from 20th Century-Fox will come "Drums Along the Mohawk," "Red Cross Nurse," "20,000 Men a Year" and "The Khyber Rifles."

Warners plan "Eyes of the Army" and "The Yanks Are Coming," and Republic has lined up "The Dark Command," "Storm Over India," "Bengal Border Patrol" and "Here Come the Marines."

Another cycle of the new season will be biography. The personal stories of about 50 personalities are being prepared. Included are the stories of Beethoven, Chopin, John Dillinger, Admiral John Paul Jones, Lord Kitchener and Disraeli. The story of Notre Dame's great football coach, Knute Rockne, and the history of Rudolph Valentino and Lillian Russell will be told.

From the field of science will come pictures based on the careers of Dr. Erlich, Mlle. Curie, Thomas Edison, Alfred Nobel and Steinmetz. The lives of Brigham Young, Mormon religious leader, and Belle Starr, notorious woman bandit of the pioneer west, also will be re-enacted. The Abraham Lincoln biographical cycle, started with "Young Mr. Lincoln," will be followed by RKO's "Abe Lincoln in Illinois" and others.

When Warners made "Confessions of a Nazi Spy," the doors were open to the treatment of such material. At present it is definite that M-G-M will produce the Sinclair Lewis novel, "It Can't Happen Here" and possibly "The 40 Days of Musa Dagh."

"I Had a Comrade," which deals with present day affairs in Germany, will be produced and Charlie Chaplin's satire, "The Dictators" is set. Warners will produce "The Bishop Who Walked with God," the story of Martin Niemoeller, the German clergyman and foe of Nazism. "Career Man," a story of the U. S. diplomatic service, is in preparation at Warners. At 20th Century-Fox, Darryl Zanuck plans a film based on John Steinbeck's "Grapes of Wrath," which treats of present political matters.

## Paramount's Parley Fixes Study of Code

Application of the industry trade actice program to sales policies and stribution activities will be discussed an executive session of Paramount strict and branch managers on the al day of the company's national les meeting in Los Angeles next aturday.

Neil F. Agnew, vice president and stribution head, and Austin C. eough, vice president and counsel, ill preside at this session.

Agnew will open the sales meeting the Ambassador Hotel Thursday orning. Others participating in the pening day program will be Adolph ukor, chairman of the board; Bar-y Balaban, president; Stanton Grif-s, chairman of the executive com-ittee; John W. Hicks, Jr., vice-pres-ent and foreign manager; J. J. nger, eastern division manager, and . B. J. Frawley.

Production officials, including Y. rank Freeman, William LeBaron and . M. Botsford, will participate in the ternoon program. The company's w season production plans will be tlined by Agnew Friday morning.

Advertising department activities ill be reported on at the afternoon ssion by R. M. Gillham, A. O. Dil-nbeck of the Buchanan Agency, and on Velde. Russell Holman and Lou iamond will report on newsreel and ort subject plans.

Studio visits and screenings of new oduct have been scheduled. The nvention will close with a dress nquet Saturday night.

## Cowdin Off June 15 On Trip to London

J. Cheever Cowdin, Universal board airman, will sail for England about ne 15 for general business confer-ces with C. M. Woolf and other niversal associates in London.

There will be no change in the seven-ar deal under which General Film istributors handles Universal prod-t in the United Kingdom as a result the trip.

Cowdin will be abroad for several eeks, returning to New York about e end of July. J. H. Seidelman, ce-president and foreign manager, rives in Europe today for a two onths' visit.

# Quebec Theatres Closed; Protest Burden of Taxes

### *Levies Get 40% of Gross; Shutdowns Throw 150 Out of Jobs*

QUEBEC, June 4.—This city was without movie entertainment today as the result of eleven theatres closing Friday night in protest against what they said was "exorbitant taxation."

After long negotiations with city officials who refused to rescind or revise their recent increase in municipal taxes from 10 to 20 per cent, theatre owners said that this additional burden made it imperative that they close their doors.

Nearly 150 employes have been thrown out of work as result of the closings.

Theatres used either the newspapers or their screens to announce their decision to discontinue operation. All agreed that the closings were made imperative by taxes which were taking 40 per cent of their grosses.

One theatre, which announced that it had never been able to pay a dividend due to excessive levies, said: "We have been paying 25 different taxes."

The film houses tried operation for four weeks under the municipal tax boost, but found that it was highly unprofitable.

Quebec obtained an amusement tax with new imposts on liquor sales and incomes from the provincial legislature in order to balance its budget.

### *Fair Camera Truce*

Cameramen's Union, Local 644, will continue negotiations with World's Fair authorities this week in an effort to compel the Fair to hire union men for publicity still work. The truce, in effect a week ago, under which newsreel men agreed to reenter Fair grounds, is continuing.

### *Neely Abandons Bill On Daylight Savings*

**Washington, June 4.—Senator Neely has abandoned all efforts to have enacted at this session of Congress his bill which proposes daylight savings time on a national scale. It was indicated that he will renew the bill in Congress next year.**

## Natan Sentenced To 4-Year Term In Pathe Swindle

PARIS, June 4.—Bernard Tanenzapf, who as Bernard Natan, was known as the French film "czar," has been found guilty with two associates of defrauding stockholders of the French Pathe Film Co., which has no connection with any American Pathe company.

Tanenzapf was sentenced to four years in prison. Jean Cerf was sentenced to three years and Alexandre Johannides, Greek film engineer, to two years.

A judgment in the 13,000,000 franc film swindle of 5,000,000 francs ($130,000) was ordered against the three jointly, in addition to individual fines of 3,000 francs ($78). The 5,000,000 francs is to come from the receivership management of Pathe Cinema.

### *UA Suit Dropped*

Suit for $50,000 damages, an injunction and accounting against United Artists Corp. by Greenberg, Publisher, Inc. was discontinued Friday in the U. S. District Court.

The plaintiff claimed literary infringement.

## Baird Delays Its Television For Theatres

Baird Television (Gaumont British) has deferred indefinitely all efforts to establish its equipment in theatres here on a commercial basis, it was learned over the weekend.

Principal reason for the suspension of plans announced earlier by the company is the meager amount of program material suitable for theatre use.

Although Ian C. Javal, Baird commercial director, arrived in New York more than a month ago with the company's theatre television equipment. Assembly of a complete working set in the G-B offices here is now being completed.

The principal difficulty to be encountered here was the difference in broadcasting cycles here and in England, for which the Baird equipment is designed. This necessitated development of a new transformer which, with other equipment, arrived in New York only last week.

In addition to the dearth of television program material suitable for theatre use, it was indicated that uncertainties over F.C.C. licensing of commercial television programs and of receiving rights to televised material and its use for commercial purposes have been confronted.

### *TMAT Negotiating Five Boro Contract*

Theatrical Managers, Agents and Treasurers Union will start negotiations today for a contract covering wage and hour conditions for managers, assistants, cashiers, ushers, doormen and matrons employed by Five Boro circuit. Employes returned to work Thursday after a three-day strike.

### *Strike Vote Wednesday*

The Laboratory Technicians Union Local 702 will meet Wednesday to take a strike vote against the Consolidated Film Industries. The vote was ordered Friday when the negotiating committee reported to a membership meeting that the Consolidated had refused to accept the union's demands.

# Murray Sees Slow Growth Of Television

CINCINNATI, June 4.—"The future of television still is uncertain because, among other things, it is the most expensive type of entertainment," declared Albert F. Murray, engineer in charge of television for Philco Radio and Television Corp., in conducting company demonstrations here.

"Television transmission is confined to limits of the horizon because of range limitations," he said. "The time will come when television will be a reality, but before it becomes commercially practical the F.C.C. must devise a system of commercial licenses, large sums of money must be expended in city after city to build broadcasting stations, sources of program material must be developed, ways and means must be devised to broadcast programs from city to city, and satisfactory television receiving sets must be made available at prices the masses can afford.

## *FCC Assigns First Fall Hearing Date*

WASHINGTON, June 4.—The Federal Communications Commission has made its first assignment for hearings for the fall term, tentatively setting Sept. 5 as the date for a hearing on the application of KGLO, Mason City, Ia., for change of frequency from 1,210 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

The commission will close its current hearing term July 15 and will not open the new term until after Labor Day.

## *Colman in Lux Show*

Ronald Colman will do the "Prisoner of Zenda" in the Lux Radio Theatre over CBS today. It will mark Colman's first radio stint since he resigned from "The Circle" because the material dissatisfied him.

## *Bader Joins Agency*

HOLLYWOOD, June 4.—David A. Bader has joined the Lichtig and Englander Agency, in charge of the story department. Bader's Literary Corp. of America is absorbed by the agency.

## *Named WIBA Engineer*

MADISON, June 4.—Norman Hahn, on the engineering staff of WIBA for several years, has been named chief engineer, succeeding Merrill F. Chapin, resigned to manage private enterprises.

## *Biggest Fan Mail*

**Mexico City, June 4.—Mexico's most popular radio entertainer is Manuel C. Bernal, who recites a serial story of his own composition for children from XEW here.**

**Bernal has the largest volume of radio fan mail in Mexico. During the three years of his broadcast he has received from 1,500 to 2,000 letters daily from children.**

# BANNER LINES

By JACK BANNER

**TELEVISION** . . . There will be a change in television programming at NBC shortly. Variety programs, which to date have provided the main fare, other than sporting spectacles, will be dropped. Hour-long dramatizations of original and stage plays will be inserted.

While on the subject of television, it's almost definite that Mike Jacobs will not permit the televising of the Galento-Louis fight.

▼

**JEWISH RADIO PROGRAM** . . . Jewish Peoples Committee is girding to combat anti-semitism by way of a nationwide radio campaign. By fall the Committee expects to present the first of a score of prominent speakers, with the inaugural and subsequent programs emanating from Detroit, where the Father Coughlin broadcasts originate. In fact the Committee's air show is being designed to "expose fully the distorted and inflammatory addresses of Father Coughlin."

The Committee is attempting to line up the stations over which Father Coughlin speaks, so that counter-statements may be heard by the one audience. Programs are to be both live and transcribed. End of August is set as the starting date.

▼

**NO ROYAL BROADCAST** . . . The networks have been preparing to broadcast a speech by King George from the World's Fair June 10, but according to our information, there will be no Royal broadcast.

▼

**SET TALENT FOR WOODBURY SHOW** . . . New Woodbury program on CBS, "Waring Family," will star Leon Janney, Hollywood youngster, who was signed for the show Friday. Program starts July 7 and will have 62 stations after the first 13 weeks.

▼

**ALL'S FAIR** . . . Good part of each day in the NBC Sports Department is spent by members in listening to the sports programs broadcast over CBS and Mutual. That's to provide copy for Bill Stern's 6:45 P. M. sports review on NBC.

▼

**LOHR DISCUSSES TELEVISION** . . . Major Lohr will tell the opening session of the three-day convention of the Edison Electrical Institute tomorrow all about the present status of television.

▼

**PERSONALS** . . . John L. Grimes, advertising manager of the Wheeling Steel Corp., sponsors of the Mutual program, returned to West Virginia Saturday after spending a number of days here conferring with Mutual officials. . . . Ted FioRito signed for "Show of the Week" June 11. . . . Jean Masson, head of Radio Luxembourg, powerful French station, arrives here today on the *Ile de France*. . . . Jan Savitt's orchestra signed for a two-weeks' engagement at the Paramount for sometime in November. . . . H. V. Kaltenborn receives two honorary degrees next week from Hamilton College and University of Wisconsin.

▼

**HAPPY BELLS** . . . Have just pealed for Elizabeth Ann Tucker, program director of the CBS short-wave department, who yesterday became the bride of W. Gillette Bird, a member of the New York Stock Exchange. They will honeymoon at Lake George.

▼

**TWO RENEWALS** . . . Milton Biow, before sailing for Europe, arranged renewals for two of his agency's Mutual programs, it develops. The programs renewed are "Breezing Along" for Philip Morris, and "Name Three," the quiz show sponsored by Dunhill.

▼

**TAXI** . . . "Americans at Work" series over CBS June 10 will offer a dramatization of the life led by taxi drivers . . . and so CBS is hustling emissaries to all cab companies, asking that every cab radio be turned on at that hour.

▼

**SURPRISE** . . . Walter Wanger, Melvyn Douglas and Rodney Pantages were surprise visitors on "People's Platform" over CBS yesterday, for a discussion on "Motion Pictures and Democracy."

## *WBNX to Air News*

WBNX, New York, has subscribed to International News Service, to be presented in five-minute English periods morning and evening with supplementary bulletins spotted through the day and evening. The English schedule will be augmented by foreign language periods.

## *Mile Has Disc Show*

Mile Laboratories is sponsoring a new transcribed show on WOR, Mondays through Fridays. "Hoosier Hot Shots" and the "Vass Family" provide the entertainment. Contract is through the Wade Advertising Agency.

## *KQW Plans Antenna*

SAN FRANCISCO, June 4.—Erection of a new 5,000-watt transmitter for KQW, San Jose, in the salt marshes near Alviso, will begin within 30 days. Station is owned and operated by Ralph Brunton, general manager of KJBS here.

## *Golf Tourney on Air*

National Golf Open again will be presented exclusively over CBS, from June 8 through June 10, with Ted Husing in charge.

## *Ayer Places Program*

N. W. Ayer & Son is placing a half-hour program over approximately 25 stations for Hess & Clarke, Inc.

# Three Webs Have Record May Revenue

Record time sale billings were established at all three major networks for the month of May.

May, 1939, was the biggest month i CBS history, with revenue at $3,[illegible] 329, a gain of 25.4 per cent over the May, 1938, billings, which were $2,442,283. Only once before has CBS topped monthly billings exceeding $3,000,000—in March, 1938.

CBS cumulative total for the five months of the year totaled $14,058,638 a gain of 4.4 per cent over the cumulative total for the same period last year, which totaled $13,461,060.

NBC also achieved an all-time high for the month of May, with billings totaling $3,702,102, an increase of 8.4 per cent over the May, 1938, total of $3,414,200. NBC's cumulative billings for the first five months of 1939 totaled $19,216,533, up 7.8 per cent over the previous record of $17,823,10 in the same period of 1938.

Mutual's May billings continued a 13-month consecutive rise, with the total 20.9 per cent over the previous May. The May, 1939, billings were $234,764. The billings for the same month last year totaled $194,201.

Mutual's five-month total was $1,396,049, up 22.5 per cent over the same period in 1938, which was $1,139,767.

## *NBC Revises Policy On Basic Red Sales*

Effective immediately, NBC is revising network policy pertaining to the sale of the Basic Red network on a non-split basis during daytime hours. Modifications follows:

A split network on the Red is acceptable Sunday afternoons from 1 to 4 P. M. and Saturdays from 10 A. M to 12 noon on condition that (a) al such contracts shall contain a 30-day removal clause which will enable NBC to move the schedule to any available period within the time zones given above, and (b) only those splits which do not block circuits from service will be acceptable.

## *New Quiz Series*

Cal Tinney, New York *Post* columnist, will referee a new quiz series over NBC, starting tomorrow. "Youth vs. Age" is the title. Contestants wil consist of two fathers or mothers competing with teams of sons or daughters.

## *Carmichael Shouse Aide*

CINCINNACI, June 4.—Cecil Carmichael, who last January resigned from WKRC, local CBS affiliate, to become press relations director of WLW-WSAI, has been appointed assistant to James D. Shouse, vice-president of the Crosley Corp.

## *Bayuk Renews Show*

Bayuk Cigar Co. has renewed "Inside of Sports," with Sam Balter over the coast-to-coast Mutual network. The renewal is for 52 weeks and becomes effective June 24. Series is heard over 24 stations. Ivey & Ellington is the agency.

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Picture
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DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 108 NEW YORK, TUESDAY, JUNE 6, 1939 TEN CENTS

# FILM CHIEFS, U.S. IN TRUST PARLEY

## Assails F.C.C., Cites Danger Of Censorship

### Miller Sees Federal Rule Over U. S. Stations

WASHINGTON, June 5.—Challenging e Federal Communications Commis- on to show a legal basis for its cently announced regulations for ternational broadcasting stations, eville M. Miller, president of the ational Association of Broadcasters, day told the commission that its pro- am restrictions will set a dangerous ecedent for government control hich could well be extended to do- estic stations.

In a letter to Chairman Frank R. cNinch, Miller criticized the com- ission for incorporating rules with- it holding hearings to determine eir desirability and pointed out that e program restrictions will necessi- te abandonment of the most popular ograms, news broadcasts.

Miller indicated the thought that ch a step would be considered road as acknowledgement by this vernment of the rights of foreign

*(Continued on page 2)*

## U. S. Plans Funds For Goodwill Films

WASHINGTON, June 5.—Motion pic- re work will be a feature of Presi- nt Roosevelt's program for develop- g better relations with Latin Amer- i, enabling legislation for which was ssed today by the House.

A total of $176,000 will be required the film work, $30,000 for editing d rescoring six films now in posses- n of Government departments; 5,000 for the production of one film the United States for distribution Latin America and a similar sum production of a Latin American ture for distribution here; $6,000 distribution costs; $6,000 for ex- nses; $6,500 for a film library, 8,000 to put projection equipment in nerican embassies in South America, d $10,000 for a Coast Guard film.

The legislation approved today erely authorized the President to go ead with his program, but makes no propriations.

### *50 Mexicans Die In Theatre Blaze*

**Mexico City, June 5.—Fifty persons perished, including 18 women and 10 children, when fire Saturday night gutted a wooden film house in Zacatepec, in Morelos, 90 miles from here. More than 40 persons suffered injuries.**

**Located on the site of a Government-sponsored cooperative sugar central, it was Mexico's worst film fire in recent years, destroying 200 buildings in all.**

**The blaze was caused by a cigarette, tossed by a patron annoyed at the faulty exhibition of the picture, a western.**

## *Hays Delegation Talks With Hopkins at Capital*

### *Kent, Schaefer, Schenck, Warner Go To Meeting; Monopoly, Block Booking Issues Face Debate*

WASHINGTON, June 5.—Leading executives of the industry will confer tomorrow with Secretary of Commerce Harry Hopkins and other officials of the Department of Commerce in an effort to develop an approach for settlement of the Government's anti-trust suit.

Due to attend the meeting are Will Hays, head of the M.P.P.D.A.; Sidney R. Kent, president of 20th Century-Fox; George J. Schaefer, president of RKO; Nicholas M. Schenck, president of Loew's, and H. M. Warner.

The meeting will be the third to be held by Department of Commerce officials with representatives of industries under fire from the Government, under a program which is being developed by Secretary Hopkins to act as mediator between the Department of Justice and big business.

Representatives of the oil and phosphate industries, both involved in anti-trust suits, have already conferred with department officials, although it has been admitted there were no concrete results.

In disclosing the projected conference, the department made no specific mention of the anti-trust suit, explaining that the meeting would "discuss economic problems confronting the industry, including those affecting the industry in its relation to the general economic structure."

The meeting, it was said, "is in line with the policy of Secretary Hopkins of serving as a Government agency

*(Continued on page 6)*

## *IATSE Unionization Drive Expands Into New Fields*

BOSTON, June 5.—The semi-annual I.A.T.S.E. regional meeting for New England yesterday voted to concentrate on a unionization drive of E. M. Loew houses, the 16 mm. field, supply house installation and maintenance and Summer legitimate theatres.

Special assessment of 10 cents now being levied for the organizational activities directed against E. M. Loew houses will be continued after the drive is completed and will be used to finance efforts against other employers.

Necessity of gaining a foothold in the 16mm. field was stressed by Richard J. Walsh, fourth vice-president, who urged that the field be unionized before it is too late. Wage scales should be made secondary to union recognition at this point, Walsh said.

The meeting heard a bitter attack on supply houses which use non-union men for installation and maintenance at salaries of $20 to $25 instead of

*(Continued on page 6)*

## *Quebec Mayor Threatens Quiz; Theatres Favor It*

QUEBEC, June 5.—With Quebec's eleven theatres closed since Friday night in protest against high taxes, Mayor Lucien Borne today threatened to order an inquiry into the entire film industry here.

"Such an investigation will be highly welcomed," chorused theatre owners, whose gross receipts have been subjected to taxation as high as 40 per cent.

Many of the 133 theatre employes thrown out of work called on the Mayor, who told them: "Go back to your employers and tell them to put you back to work."

The Capitol theatre is ready to resume operations for any given period if the city is willing to shoulder any deficit incurred, J. Arthur Paquet said in answering Mayor Borne's charge that Quebec's houses had "banded together to bring about an organized strike."

While the deadlock continued, crowds jammed the parks and beaches. Many journeyed across the St. Lawrence river to Levis for cinema entertainment.

## *Coast Flashes*

HOLLYWOOD, June 5.—Testifying in the I.A.T.S.E. International-Technicians Local 37 suit today, Joseph Buchta, special investigator, said that after doing special work for Harold V. Smith, resigned I.A.T.S.E. representative, he signed five alleged fake reports and two affidavits "in fear of my life." Buchta was called as a surprise witness by A. Brigham Rose, counsel for Local 37.

●

Nicky Arnstein today made an out-of-court settlement, believed to be $25,000, with Twentieth Century-Fox in his suit involving "Rose of Washington Square."

●

Eddy Eckels, former RKO studio publicity director, joined Universal's publicity staff today.

# Chile Tribute To U. S. Films Set for Fair

Republic of Chile will pay tribute to the American film industry for its contribution to the trade development of that country at a reception June 16 from 2 to 6 P. M. in the Chilean Pavilion at the New York World's Fair, with the cooperation of *Teatro al Dia,* the Quigley Pan-American publication.

Alberto Cabero, Chilean Ambassador to the United States; Senator Rodolfo Michel, Commissioner General of Chile to the World's Fair, and Anibal Jara Letelier, Chilean Consul General in the United States, signed the invitations sent to various film groups.

Alfonso Merlet, Chilean delegate to the Fair, and H. Alban-Mestanza, editor of *Teatro al Dia,* are in charge of arrangements.

A special short-wave radio program will be broadcast through CBS, with rebroadcasts planned by stations in Chile, Argentina, Peru, Brazil and Uruguay.

Special buses will carry the guests from 9 Rockefeller Plaza, where the New York office of the Chilean consulate is located, directly to the Fair, leaving at 1:30 P. M. Guests will be given a Chilean buffet-luncheon.

## *Warner Circuit Zone Managers Meet Here*

Joseph Bernhard, general manager of Warner Theatres, will preside at a meeting of theatre zone managers at the home office today.

Attending will be the following zone managers: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington, and Herbert Copelan, Atlantic City.

Among the home office executives who will participate are: Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Goldberg, Williard C. Patterson, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

## *N. Y. Allied to Talk On Clearance Here*

Albany, June 5.—N. Y. Allied unit, meeting here today, decided to send a committee of Albany, Troy and Schenectady members to a meeting in New York Thursday or Friday with Si Fabian and Henry Ritchie on the clearance situation.

Clearance in some cases is understood to be running up to 120 days. Mitchell Conery, regional vice-president, was named delegate to the national Allied convention in Minneapolis next week.

## *Erpi Files Patent Suit*

Los Angeles, June 5.—Erpi has filed suit in Federal court here against Glen Glenn Sound Co., alleging infringement of patents relating to the recording of sound on film. An injunction is sought.

# *Purely Personal*

DAVID BERNSTEIN, E. J. Churchill (Donahue & Coe), Colvin Brown, Sam Shain, Oscar Doob, Leopold Friedman, B. S. Moss, Monroe Greenthal, Charles Stern, Sam E. Morris at Moore's yesterday for lunch.

•

Talbot Jennings, M-G-M writer, has received an honorary degree from the University of Idaho, at Moscow, Idaho, from which he graduated in 1924. He was commencement speaker.

•

Herman G. Weinberg has finished editing the American release of the French film, "The End of a Day," and leaves for Baltimore this weekend to complete a book.

•

Maurice Silverstone, Ray Johnston, Harry Gold, Manny Silverstone, Bill German, Edward Alperson among those lunching at Bob Goldstein's Tavern yesterday.

•

David Toddy, RKO talent scout on Jesse L. Lasky's "Gateway to Hollywood" program, has returned to the coast after a tour of more than 15,000 miles.

•

Merle Oberon became the bride of Alexander Korda in a civil ceremony Saturday at Antibes, France. It is her first marriage and Korda's second.

•

Douglass Montgomery arrived in New York yesterday after completing a role in Paramount's "The Cat and the Canary."

•

Arthur Loew, Mort Spring, Dave Blum, Dennis King, Robert Milton, John Golden lunched at Sardi's yesterday.

Y. FRANK FREEMAN, Paramount vice-president in charge of production, flew to the Georgia School of Technology at Atlanta yesterday via American Airlines to attend the commencement. He will return to the coast tomorrow.

•

Gustav Gran, chief inspector of film houses in Oslo, Norway; Thomas J. Sullivan, owner of the Grande, Detroit, and Mrs. Sullivan, and Harold Armistead, operator of the Lyric and Avalon in Easley, S. C., with Mrs. Armistead and his mother, Mrs. E. A. Armistead, were visitors yesterday at RKO's World's Fair lounge.

•

Lieut. William C. Chambliss of the 20th Century-Fox publicity department is credited with assistance by Norman Corwin in writing "They Fly Through the Air With the Greatest of Ease." The script of the program has just been published.

•

James Constantinedes has become engaged to Helen Stamatis, daughter of George Stamatis, operator of a New York circuit, and niece of the late S. D. Cocalis, head of the Cocalis circuit.

•

Sonja Henie has built a new home near Oslo, Norway, where she will spend her vacation with her mother. They leave tomorrow on the *Queen Mary,* to return in eight weeks.

•

Si Saunders, southern district booker for Fox Intermountain in Denver, has married Lucile Oleon of Ogden, Utah.

•

H. J. Yates leaves the coast today for New York, due here Friday.

## *Decision Reserved In RKO Case Appeal*

Circuit Court of Appeals yesterday reserved decision on a request for additional time to file his record on appeal from confirmation of the RKO plan of reorganization, by John S. Stover, attorney for Ernest W. Stirn, holder of 1,234 Class A shares.

The court said it would consider the question of dismissing his appeal on the ground that Stirn is now in default in filing his record. Previous extensions granted Stirn were attacked by Hamilton C. Rickaby, attorney for Atlas Corp., proponent of the plan.

Two other appeals from the plan taken by H. Cassell & Co. and the Copia Realty Co. will not be affected by the decision of the Circuit Court.

## *$1,500,000 Is Paid For Gregory Circuit*

Chicago, June 5.—Gregory circuit, operating 29 houses in Illinois, Indiana and Wisconsin, was taken over today by Alliance Theatre Co., headed by Herbert L. Stern and T. J. Dee. The deal was said to involve $1,500,000. S. J. Gregory will be in charge of circuit operation. Rube Levine was broker.

## *Actor 53 Years, Dies*

Dodson Lomax Mitchell, 71, member of the well-known theatrical family and an actor for 53 years, died Saturday in Polyclinic Hospital.

## *Quigley's Son Wins Georgetown Honors*

Washington, June 5. — Martin Schoefield Quigley, son of Martin Quigley, head of Quigley Publications, graduated today from Georgetown University. He received his Bachelor of Arts degree magna cum laude, as well as the Ryan Medal for the highest average of the year in psychology, natural theology and ethics, and the Quicksall Medal for the best oral examination in three plays of Shakespeare. He led his class over a period of four years.

## *National Theatres Renews Photophone*

RCA Photophone has renewed its contract with National Theatres to service sound reproducing equipment in more than 300 theatres in four divisions of the circuit.

The divisions include Fox West Coast, Evergreen, Fox Wisconsin and Fox Intermountain (Denver). The original service deal was made in 1936 and has been renewed each year.

## *Protest Madison Houses*

Madison, Wis., June 5.—Common Council has referred to its Zoning Board of Appeals a petition signed by 200 west side residents protesting the proposed construction of three theatres on Monroe St. here. Indications are that possibly two of the three houses will be built.

# Assails F.C.C., Cites Dangers of Censorship

(*Continued from page* 1)

nations to demand censorship of the American press and radio, pointing out that repeated protests have been filed with the state department. It has [illegible] ways been the department's answer that it had no power to abridge the constitutional right of freedom of speech, he said.

Declaring that "the Federal Communications Act of 1934 is silent on the subject of program content," the N.A.B. head took the stand that "if the commission has the authority to promulgate this character of regulation in the international field, it must have equal authority with respect to domestic broadcasting.

"If licensees of international broadcast stations can be required to restrict their programs to any regulatory authority's concept of American culture, it would seem clear that the licensees of domestic broadcasting stations could be required to limit their programs to some 'official' definition of culture, education and entertainment," he said.

## *Conn. Groups Join In Bingo Bill Fight*

New Haven, June 5.—Allied Theatres of Connecticut and the Connecticut M.P.T.O. have protested by wire to Gov. Raymond Baldwin against the "discriminatory" Bingo bill, which has passed both houses and awaits the governor's signature, asking that a committee be granted an audience to state the theatremen's position. The bill would limit Bingo to organizations.

## *Chorus Equity Elects*

Chorus Equity Association has elected Paul Dullzell as chairman of the executive committee. Other officers include: Gerald Moore, recording secretary: Francis Clarke, Carrington Lewis, Emily Marsh, John Mucio, Thomas Scott, Beau Tilden and Frances Wade, executive committee, and Jack Barnes, Jay Amiss, LeRoy MacLean, Moore and Miss Marsh to serve on the council.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Irene Dunne · Fred MacMurray
in
"INVITATION to HAPPINESS"
with
CHARLIE RUGGLES · William Collier, Sr. · Billy Cook
Produced and Directed by **Wesley Ruggles**

# $AN FRANCISCO SMASH!

**Competing against hot weather, the San Francisco Golden Gate Exposition, and 3 important motion pictures, Paramount's "INVITATION TO HAPPINESS" opened at the San Francisco Paramount Theatre to the biggest business in two years.**

## Paramount $uccess...

Boys, Paramount's rolling the winning numbers . . ."Midnight" still packing them in . . ."Union Pacific" one of the year's top grossers . . . and now "Invitation to Happiness" starting off like a whirlwind . . . and take it from the tipsters, "Man About Town," the "best of the Benny's" is going to turn the old thermometer to ice water...then there's Tamiroff the Terrific in "The Magnificent Fraud"...Bob Burns as "Our Leading Citizen"..."The Star Maker" with Bing Crosby and an all-star cast.

***$ome $ummer $uccess $tory!***

Paramount Pictures

# Opening

# Music Hall

## LAURENCE OLIVIER

(star of "Wuthering Heights")

# CLOUDS OV

Direct from their smash roles in two big "class" productions come Laurence Olivier and Ralph Richardson in a "mass" show if ever there was one... timely, exciting, dramatically filled with the sensational facts about the world-wide war on spies!

# Radio City

# June 15th

**RALPH RICHARDSON**

(star of "The Citadel")

# ER EUROPE

with **VALERIE HOBSON**

Screen play by Ian Dalrymple · Directed by Tim Whelan

A COLUMBIA PICTURE

# Code Fairest Bill of Rights: MPTOA Head

MYRTLE BEACH, S. C., June 5.—The trade practice program is a "fairer bill of rights than has ever before been offered, and while it is not exactly Utopian, it should be accepted when completed."

This conviction was expressed today by Ed Kuykendall, M. P. T. O. A. president, in addressing North and South Carolina exhibitors, district and branch managers and salesmen in convention here.

Kuykendall pleaded for closer cooperation between exhibitors and distributors. He condemned the Neely bill and assailed governmental interference in business.

Kuykendall took issue with Abram Myers, Allied attorney, for his stand on the Neely bill. He recommended the organization of a delegation to create legislation against Ascap.

H. M. Richey, exhibitor relations head of RKO, also spoke on the fair trade practice code. He said it was the "nearest approach to the solution of the industry's problems yet advanced."

The meeting was presided over by Lyle Wilson, exhibitor of Roanoke Rapids, N. C. Addresses of welcome were made by Col. Holmes Springs of Myrtle Beach and Frank Beddingfield of Charlotte.

A routine board of directors' meeting was held yesterday. Visitors registered at the convention include: O. C. Lam, Rome, Ga.; Edward Auger, RCA Photophone, New York; Gus King, Capitol City Supply Co., Atlanta; Hugh Anderson, National Carbon Co., Atlanta; John Mangham, Atlanta Monogram exchange.

Also, Hubert M. Lyns, district manager for RKO, Atlanta; Charles Lester, district manager, National Screen Service, Atlanta; Fred M. Jackson, district manager of Warners, Dallas; Roy Rogers, Republic western star; Nandy Fiore, Altec, Atlanta.

## Cleveland Tourney Set

CLEVELAND, June 5. — Cleveland Variety Club will hold its annual golf tournament July 21 at the Beechmont Country Club. "Duke" Clark, M. B. Horwitz and Jack Shulman are in charge of arrangements.

# *Hollywood Preview*

## *"Grand Jury Secrets"*

*(Paramount)*

HOLLYWOOD, June 5.—"Grand Jury Secrets," a crime melodrama the chief figure of which is a newspaper reporter, offers for showmen a chance for wider exploitation than might be expected from the title. Included in the plot is the important use of short wave radio, which naturally makes for appeal to the ever growing army of "hams." The use of the short wave transmitters and receivers lifts the story out of the formula class.

Chief figures are portrayed by John Howard, a brash newspaperman; Gail Patrick, fiancee of his brother, an assistant district attorney, played by Harvey Stephens; and William Frawley, as a newspaper photographer. Others in the cast are Jane Darwell, Porter Hall, John Hartley, Elisha Cook, Jr., Kitty Kelly, Morgan Conway, Jack Norton, Richard Denning, Frank M. Thomas and Edward Marr.

Directing this Sam Engel production was James Hogan, from a screenplay by Irving Reis and Robert Yost based on a story by Reis and Maxwell Shane.

Howard embarrasses his brother by using a story, obtained through the use of a short wave transmitter, concerning the new grand jury which is to probe bucket shops. Lack of ethics causes him to be shunned by his brother and his mother, and he determines to bring the criminals to justice himself. As he obtains the solution to the crimes, he is taken prisoner by the criminal, but is saved by a crew of "hams" who respond to his signals.

Running time, 62 minutes. "G."*

VANCE KING

---

*"G" denotes general classification.*

## *French Bill Doesn't Hurt U. S., Says Zay*

Bill pending in France for control of the film industry will not interfere with any existing treaties or agreements between France and other countries, especially the United States, declared Jean Zay, French Minister of Education, who arrived last night on the *Ile de France.*

Zay is sponsor of the proposed legislation, on which action has been deferred to fall. He is here on educational matters and to receive a degree from Columbia University.

American companies have feared that the bill, if enacted, would seriously affect their revenue and operations in France, as a ban on double billing was included.

## *Reissue 'Bondage'*

RKO will reissue "Of Human Bondage," starring Leslie Howard and Bette Davis, Jules Levy, general sales manager, said yesterday. The national release date will be July 14.

## *Cantor to Headline Show for Refugees*

**A gigantic benefit for Christian German refugees will be held June 15 at the Winter Garden. The midnight benefit will inaugurate a drive for $600,000.**

**Headlining the show will be Eddie Cantor. Other stars who will be seen on the program include Raymond Massey, Tallulah Bankhead, Fredric March, Hildegarde and Kitty Carlisle.**

## *Tippetts Lose Appeal*

Application of John D. and Eugene T. Tippett for leave to appeal to the Court of Appeals in Albany from a decision of the Appellate Division of the N. Y. Supreme Court which upheld the sufficiency of a suit for $270,000 damages against the Tippetts by Universal Pictures Co., Inc., was denied yesterday. Commissions on the sale of film raw stock are involved.

## *Suit Over Movie Quiz*

Edward J. Churchill, president of Donahue & Coe, Inc., was ordered yesterday by the Appellate Division of the N. Y. Supreme Court, to submit to examination before trial in the $100,000 damage suit of Edward J. Pfeiffer, who claims to have given Churchill and his company the idea of the movie quiz contest.

## *Gordon Filman Dies*

TORONTO, June 5.—Gordon J. Filman, 52, pioneer independent theatre owner of Ontario, died suddenly at his home in London, Ont., of heart failure. He was associated with Thomas Moorehead of Brampton in the operation of a circuit from St. Thomas to Ottawa.

"The XYZ has ancient sound, that's why it's in the red."
"Its owner sits awake all night with worry in the head."
"In the theatre down the street the business is terrific."
"And here's the reason why, if you want to be specific."
For Better Box Office, Install Better Sound
THE New RCA PHOTOPHONE
MAGIC VOICE of the SCREEN
with Rotary Stabilizer—
plus SHOCK-PROOF DRIVE
PHOTOPHONE
RCA
HIGH FIDELITY SOUND
*Better sound means better box office—and RCA tubes mean better sound*

RCA Manufacturing Co., Inc.
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# IATSE Union Fight Widens In N. Y. Zone

(*Continued from page* 1)

union men, who receive $80 weekly. The delegates voted to discipline supply house members who permitted such conditions to continue.

Also under consideration was the fact that only four of New England's 50 Summer theatres had I. A. contracts. Here, too, it was urged that salary scales be made secondary to obtaining union contracts.

James J. Brennan, sixth vice president, presided at the meeting.

### IATSE Resists TMAT Over Theatre Employes

International Alliance of Theatrical and Stage Employes will resist any effort to infringe on its jurisdiction over cashiers, ushers, doormen and ticket-taker, an I. A. T. S. E. official said yesterday.

Theatrical Managers, Agents and Treasurers Union, also an A. F. of L. affiliate but not a member of the I. A., recently undertook to bargain for this class of employes in New York City.

"Jurisdiction was granted to us by the A. F. of L. in 1935 and since that time we have established 77 locals covering these employes," the official explained. "The locals are known as 'Theatre Employes' Union' and are organized in many cities."

It is known that the T. M. A. T. has applied for affiliation with the I. A. Negotiations, however, have been dormant for several months. In view of these negotiations it is not likely that any jurisdictional dispute will come into the open at the present time.

The T. M. A. T., whose chief interest is in managers, assistants and press agents, was virtually compelled to act as bargaining agency for the other employes when the latter walked out in sympathy in the Five Boro Circuit strike.

## *Film Chiefs and U. S. In Anti-Trust Parley*

(*Continued from page* 1)

with which business men can confer on specific problems."

It was admitted, however, that the questions of monopoly and block booking would be among those discussed.

The conferences, which are being held with industries against which the Department of Justice is moving, are in conformity with President Roosevelt's recommendation for the creation of a Bureau of Industrial Economics to give businessmen advice, which was given the support of Attorney General Frank Murphy last month in his statement on anti-trust policy.

## *Quebec Prosecutes Nazi Film Showings*

QUEBEC, June 5.—In the first step against Nazi or Fascist propaganda in Quebec province, the attorney general's office today charged Harmonia Club with two offences under the provincial film act. The Nazi film, "Le Merite," was seized by police during a showing in the club on April 28 and the audience dispersed. The film lacked censorship approval.

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# U. S. Subsidy Called Legit's Only Savior

"The legitimate theatre is 30 years behind the times and nothing will save it except a Federal subsidy," Arthur Hornblow, Jr., Paramount producer, stated before leaving for the coast yesterday.

Hornblow, formerly associated with Broadway production, came east for the first time in two years to view current stage productions. Working on a matinee and evening basis, he took in 10 shows in one week.

"The American audience wants much more for its money," Hornblow said. "Witness the double feature. Price cutting is difficult in the legitimate field but is necessary if the public is to regain its lost habit of theatre going. At any rate, production budgets should be increased. Present production is slipshod and shoddy.

"Legitimate theatres are poorly ventilated—almost unbearable during the summer—and badly maintained. I had to search for one theatre when I was standing directly in front of it. That's poor showmanship."

Modification of the Dramatists' Guild basic agreement, now being studied, may provide the needed stimulus, Hornblow believes. He adds:

"Broadway's principal contribution to the films is the introduction of new ideas and the breaking down of old barriers because it can appeal to small groups. It is in a better condition to experiment."

"Federal WPA theatre projects," Hornblow points out, "have proved that the public is anxious to go to the theatre for reasonable prices. A WPA show enjoyed a three-year run on the coast. In New York, the WPA 'Swing Mikado' went commercial, raised its prices and flopped."

## *Scophony Capital Increased Million*

LONDON, June 5.—Capital of Scophony, Ltd., television firm, has been increased from $1,500,000 to $2,500,000, Solomon Sagall, managing director, told the annual meeting of the company today.

Oscar Deutsch, head of Odeon circuit and a Scophony director, predicted the future of theatre and home television as the equal of radio broadcasting. He said negotiations are being carried on with BBC for control of fees on theatre telecasts.

Cinematograph Exhibitors' Association will decide its policy on the use of large screen television at the annual confernce at Blackpool later this month. Kinematograph Renters' Society (distributors) is opposing large screen television.

## *Miss Winwood Gets Matunuck Star Role*

PROVIDENCE, June 5.—Estelle Winwood, lately seen on Broadway in "The Importance of Being Earnest," will star in Rachel Crother's "Susan and God" which will open the summer season at the Theatre-by-the-Sea, Matunuck. Thom Conroy is the new director.

# BANNER LINES

### By JACK BANNER

**FIRST BURN-UP ABOUT TELEVISION** . . . NBC is trying to persuade Mike Jacobs to permit the televising of the Galento-Louis heavyweight championship fight. Jacobs, however, is angry about what occurred in the vicinity of the Yankee Stadium the evening of the Baer-Nova fight, which was televised. Seems that the Earle Theatre, a house adjoining the Stadium, hung up a huge sign advising the fans that the fight could be seen on the theatre's television receiver "at no increase in price." Price of admission to the Earle is 35c.

◆

**WELLES NOT THROUGH** . . . Those who counted out Orson Welles when it was rumored he was through on the Campbell Playhouse, will now learn that their tolling was premature. Welles was re-signed by telephone yesterday to bring the Playhouse back to CBS this Fall. He will probably have a new spot, though.

◆

**MASSON ARRIVES** . . . Jean Masson, program director of Radio Luxembourg, arrived here yesterday in the *Normandie* to effect a reciprocal arrangement with March of Time, he said. March of Time currently is off the air, but it is expected to be resumed in the Fall.

Masson made an interesting disclosure at the pier. He said that the BBC feud with Radio Luxembourg over the latter's commercial broadcasts into England was now a thing of the past. Settlement of the feud was effected when Radio Luxembourg broadcast German translations of Prime Minister Chamberlain's "Munich Pact" speech 14 times over its directional antenna into Germany. BBC was so pleased over the action that it extended the olive branch to the French station.

◆

**PERSONALS** . . . Bill Baker, Maxwell House account executive at Benton & Bowles, returns today from Hollywood, probably with news of the M-G-M program . . . Lee Gebhart, who once wrote the "Ma Perkins" scripts, has been signed as writer of the new CBS series, "Donna Curtis.". . . . Condolences to "Dinty" Doyle, Journal-American radio columnist, whose mother just passed away. . . . Penny Singleton and Arthur Lake, stars of the "Blondie" movie series, will do the act on the air as the replacement for Eddie Cantor, starting July 3. . . . William C. Flynn has joined the Weed Co. as salesman, coming from the Brooklyn *Eagle*. . . . Earnest Boyd has resigned from the NBC script division to free lance as a writer.

◆

**DR. KOSTELANETZ** . . . Andre Kostelanetz, with Lily Pons at his side, yesterday received an honorary Doctor of Music Degree from Albion College, Michigan, and spent most of what remained of the day flying back to New York for his regular broadcast last night.

◆

**SAG** . . . Screen Actors Guild is not reconsidering its stand on television, according to a Ken Thomson wire. Thomson states: "We believe it is not clear in the present status of television exactly where jurisdiction should be centered. For the present we believe it should continue in control of the 4-A's. Finally we do not believe that SAG members should be forced to join any other organization in order to work in television."

## *Legion Approves 4 Of Eight New Films*

National Legion of Decency for the current week has approved four of eight new films reviewed and classified, three for general patronage and one for adults. Three others were classed as objectionable in part and one was condemned. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Street of Missing Men," "Three Texas Steers," "Young Mr. Lincoln." Class A-2, Unobjectionable for Adults—"6,000 Enemies." Class B, Objectionable in Part—"Missing Daughters," "The Ware Case," "Youth in Revolt." Class C, Condemned—"The Puritan."

## *Approve Milwaukee Tavern Film Shows*

MILWAUKEE, June 5.—Building Inspector Leon M. Gurda has given a clean bill of health to local taverns showing old films. Gurda announced that the spots are showing films made of slow burning materials, involving little danger of fire, and are conforming to the tavern, amusement and building codes. An investigation followed complaints that safety standards were being violated.

## *Ontario Posts Ban On European Films*

**Toronto, June 5.—Ontario censors have imposed a temporary ban on features from Europe, because of a fear that propaganda is seeping into the province. It is understood that France is excluded from the ban.**

**The provincial Government of Quebec has maintained a permanent ban on Russian films. Ontario has never placed a restriction on Soviet films.**

## *Remodel 'U' Exchange*

CLEVELAND, June 5.—Local Universal exchange is being entirely remodeled. It is being extended 30 feet to allow more working space, new offices will be designed for the executives and air conditioning will be installed.

## *Burns in 'Uprising'*

HOLLYWOOD, June 5.—Bob Burns has been assigned by RKO to share the top spot in "Pennsylvania Uprising" with John Wayne and Claire Trevor.

# 44 Features Are Shooting In Hollywoo

HOLLYWOOD, June 5.—Forty-fo pictures were before the cameras th week, as nine started and nine finishe Twenty-eight are being prepared 70 are being edited.

Those started were: "A Day at t Circus," "Ninotchka," "They A Come Out," M-G-M; "Colorado Su set," "Should Husbands Work?" R public; "A Chump at Oxford Roach; "Falling Stars," 20th Centur Fox; "Desperate Trails," Universa "Kid Nightingale," Warners.

In addition to these, shooting wer "Mr. Smith Goes to Washington "Golden Boy," "Coast Guard," "E cape from Alcatraz," "Blondie Tak a Vacation," Columbia; "The Re Glory," Goldwyn; "The Star Maker "Ruler of the Seas," "Disputed Pa sage," "Our Leading Citizen," "Do ble-Dyed Deceiver," " Are Husban Necessary?" Paramount; "Memory Love," "Nurse Edith Cavell," "M Fifth Avenue Girl," RKO; "Go with the Wind," Selznick; "The Rai Came," "Elsa Maxwell's Hotel f Women," "The Chicken Wagon Fan ily," "Harmony at Home," "Here A I, a Stranger," 20th Century-Fox "The Underpup," "Modern Cindere la," "Bright Victory," "I Stole a Mi lion," Universal; "Dust Be My De tiny," "The Knight and the Lady "Career Man," "The Return of D X," Warners.

Finished were: "On Borrowe Time," "Stronger than Desire," M G-M; "Stunt Pilot," Monogram "Heaven on a Shoestring," Para mount; "The Spellbinder," "Ba Lands," "The Fighting Irish," Repub lic; "Dames," Universal; "Nanc Drew and the Hidden Staircase Warners.

RKO and Warners are each shoo ing one short subject. Four are be ing prepared and 11 are being edite

## *Four New Television Companies Forme*

ALBANY, June 5.—United State Television Manufacturing Corp., ha filed papers of incorporation here, wit capital stock of $150,000. J. B. Milli ken, P. H. Milliken and L. B. Jubie of New York City are the incorpor ators.

Other television corporations forme here include World Television Corp with $20,000 capital; Independen Sales Corp. for radio and televisio enterprises, and Wire Broadcastin Inc., New York.

## *Fox Decision Delayed*

Pending investigation into the re ceivership of Fox Theatres Corp. Federal Judge John C. Knox post poned decision yesterday on an applica tion of Archibald R. Watson for $41, 500 final allowance for services ren dered as attorney to the receivers o Fox Theatres.

## *Cuba Passes 'Spy'*

HAVANA, June 5.—The Cuban Cen sor Board has passed Warner Bros. "Confessions of a Nazi Spy." It wil open June 19 at the Radio Cine.

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# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

'OL 45. NO. 109 NEW YORK, WEDNESDAY, JUNE 7, 1939 TEN CENTS

## ꞩkouras Tells Facts Behind Warner Split

### ays His Company Did Not Solicit Product

"Since last November we have dis- ssed in a number of conferences ith Gradwell Sears and Carl Leser- an of the Warner Bros. sales de- rtment, an adjustment for 1937-38 sed on our experience with those ctures and also other liabilities pro d con under the existing contract. 'e expect that all these matters will negotiated and settled in the regu- r course."

This was stated last night by Spy- s Skouras, executive vice-president National Theatres Corporation. he rest of his statement follows:

"Concerning Warner Bros.' state- ent that they propose to sell to other hibitors in our competitive situa- ons, we beg to say that this meets ith our wholehearted approval. We ve not solicited Warner pictures for e coming year. We cannot, and of urse do not, object to Warner ros.' election to sell to other exhibi- rs. This freedom to contract has ways been respected by us. We wish 'arner Bros. every success.

"Our present contract with War- r Bros. is for the two theatrical asons 1937-38 and 1938-39. The umber of designations of 'A' pictures largely in excess of those in pre- ous years.

"If Warner Bros. aspire to the nor of being the standard bearers r the abolition of double features,

(*Continued on page* 6)

## *Late Flashes*

Los Angeles, June 6.—The Board Governors of Technicians Local 37 1936 approved unanimously the king over of the union by the A.T.S.E. International, Harry rainge, board member at that time, stified today in the suit over con- ol of the organization before Su- erior Judge Willis. Strainge said at several governors at that time iced the opinion that if the Interna- onal did not absorb the organization ome killings might result."

Washington, June 6.—The Fed- al Communications Commission to- y refused to act on a motion of ommissioner Craven to rescind its der that international stations must ansmit only "goodwill" programs.

# 'Peace' Parleys With U.S. May Yield Consent Decree

### *Industry Reported in Bargaining Mood; Trade Evils Debated at Washington; New Hopkins Meeting Next Week*

Washington, June 6.—Headed by Will Hays, a group of leading film executives today conferred with Department of Commerce officials for six hours on problems confronting the film industry here and abroad.

The film group, consisting of George J. Schaefer, president of RKO; Nicholas M. Schenck, president of Loew's; H. M. Warner and J. H. Hazen of Warner Brothers, met with Secretary of Commerce Harry Hopkins, Willard L. Thorp, his economic adviser; Nathan D. Golden, chief of the motion picture division, and Ernest A. Tupper, chief statistician of the Bureau of Foreign and Domestic Commerce.

Because of his planned attendance at the ceremonies of the unveiling of the Will Rogers statue in the Capitol, Hays attended only the morning session. The remainder of the group, however, stayed through the afternoon session, which did not break up until 5:30.

#### 'We Have No Strings,' U. S. Replies

Both commerce department officials and members of the film group denied that the government's anti-trust suit was discussed but, when asked whether the conferences which are to follow today's meeting might not lead to the development of a consent decree, with the department acting as intermediary between the film industry and the department of justice, Dr. Thorp said:

"Almost anything you suggest is a possibility. We have no strings on what we are doing."

The conference, representatives of both groups said, took up the various problems of the industry, including foreign trade, labor difficulties, and trade practices.

In connection with the last, the industry representatives submitted a copy of the proposed trade practice agreement and explained its aims. The discussion of foreign trade, it was said, covered not only the difficulties which the industry is facing in Europe but also the possibilities of developing the Latin-American market.

During the discussion, it became apparent that further consideration of various problems was dependent upon the development of factual information. It was arranged that Hazen should stay over in Washington and confer with department officials tomorrow in regard to the various types of information which will be necessary.

#### Meeting Next Week

The meeting today was merely a preliminary discussion of these questions, it was said, and the group will confer again, probably next week.

Before leaving the conference, Hays explained that the discussions were merely preliminary to meetings at which some definite program of cooperation between the government and industry could be worked out.

"We discussed all the economic problems involving the industry that we could think of," he said. "They were in the nature of a general survey

(*Continued on page* 7)

## *Fair Faces Strike Call*

Strike by New York Theatrical Trades Council at the Amusement Zone of the World's Fair appeared imminent last night with union officials predicting that a strike would be called before the end of the week.

Failure of Fair authorities to assist the unions in obtaining contracts from concessionnaires and to employ more union men for its own work is given as the cause.

It was pointed out that assurances were given earlier that the Fair was "union-minded" and that assistance would be given the unions in their organization work. Instead, union sources declare, the Fair has not only failed to assist, but has hindered organization.

Seven unions comprise the Council. They are Musicians' Union, Local 802, American Federation of Actors; Projectionists' Union, Local 306; Cameramen's Union, Local 644; Stagehands' Union, Local 4; Motion Picture Studio Mechanics' Union, Local 52, and Theatrical Teamsters' Union, Local 817.

In the event that the Council establishes a picket line, it is regarded as

(*Continued on page* 4)

## *SEC Report Shows Film Business Up $31,000,000*

Washington, June 6.—Seven of the 10 film producing companies registered under the Securities Exchange Act of 1934 had a combined volume of business in their fiscal years ending on or about Dec. 31, 1937, of $406,855,095, compared with $375,703,530 in their 1936 year and $336,950,924 in 1935, it was reported tonight by the Securities and Exchange Commission.

The seven companies reporting were Columbia, Educational, Loew's, Paramount, 20th Century-Fox, Universal and Warners.

In a report containing "selected information" on producers and distributors, the S.E.C. showed that these companies had a combined operating profit of $40,911,459, or 10.1 per cent of sales, for their 1937 fiscal year, compared with $32,822,156, or 8.7 per cent, for 1936, and $24,402,985, or 7.2 per cent for 1935.

These results, it was explained, were after combined charges for depreciation, depletion, etc., of approximately $14,000,000, or 3.5 per cent of sales, in 1937, $14,000,000, or 3.8 per cent, in 1936, and $14,000,000, or 4.2 per cent, in 1935. Of the seven enterprises, it was said, six reported operating profits and one reported an operating loss in each of the three years.

A combined profit, after all charges

(*Continued on page* 7)

# ◀ Purely Personal ▶

DENSMORE A. ROSS, vice-president and general manager of Ross Federal, and **Richard E. Ross**, director of branch operations, are on an extended tour of midwest branches.

•

**Anthony Collins**, signed by **Herbert Wilcox** to do the score of "Nurse Edith Cavell," now shooting at RKO, leaves England today and will arrive on the *Normandie* on Monday. He will go directly to Hollywood.

•

**William Scully**, **W. Ray Johnston**, **Si Seadler**, **Oscar Doob**, **Monroe Greenthal**, **Arthur Gottlieb**, **Buddy Morris**, **Cal Swanson**, **Al Young** lunching at **Bob Goldstein's** Tavern yesterday.

•

**Bill Johnson**, manager of the Opera House, Millinocket, Me., dropped in at the Managers' Round Table Department of *Motion Picture Herald* while in town to visit the World's Fair.

•

**Roger Ferri**, editor of the *Dynamo*, 20th Century-Fox publication, has returned from Springfield, Ill., and Chicago where he published the "Young Mr. Lincoln" special edition of the paper.

•

**Oscar A. Doob**, Loew's advertising and publicity director, was host to Washington and Baltimore critics the other day. They came in to see "Goodbye, Mr. Chips" at the Astor.

•

**Mrs. Ray Milland**, wife of the screen player, is staying at the Waldorf-Astoria for a few days after returning from abroad. With her is her mother, **Mrs. Harry Weber**.

•

**Norman Bede Rydge**, managing director of Greater Union Theatres, Australia, plans to leave Friday for the coast and will sail June 21 on the *Mariposa* for Sydney.

•

**William Saal**, special representative for Republic, leaves for England today on the *Queen Mary* for the premiere of "Man of Conquest."

•

H. M. **Richey** of RKO returns today from Myrtle Beach, S. C., where he addressed the M. P. T. O. of North and South Carolina.

•

**Nick Lucas** will sail July 18 for Australia. He will open in vaudeville in Melbourne Aug. 14 and will sing twice weekly over the radio.

•

**Mitchell Rawson**, eastern publicity manager of Warners, has returned from a two-week vacation in his home town, Atlanta.

•

**Mrs. K. M. Hyde Bennett**, RKO representative in Toronto, was a visitor at the RKO World's Fair lounge yesterday.

•

**Jack Pegler**, **Sam Shain**, **Crosbey Gaige**, **Carlos Isreals** at the Waldorf Grill for lunch yesterday.

•

**Jack Ellis**, president of Motion Picture Associates, has announced his engagement to **Evelyn Bassett**.

•

**Leo Spitz** is recovering nicely in Rochester, Minn., following an operation. He is expected in New York in about 10 days.

•

**Lois Jacoby**, **Samuel Goldwyn's** eastern talent representative, has resigned. No successor has been named as yet.

•

**Matthew Fox**, vice-president of Universal Pictures, will be coming to New York soon for a short stay.

•

**Frieda Inescourt** has returned from Hollywood after appearing in "Tarzan Finds a Son."

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# Insider's Outlook

## By SAM SHAIN

AFTER three weeks in Hollywood, it's great to be back among familiar faces and regular places.

At Bob Goldstein's Tavern, with Jim Cron for lunch and Moore's for dinner with Gus Eyssel and M. A. Schlesinger. At Sardi's with the matinee crowd and in Nick's Hunting Room, with Murray Silverstone, Ed. Saunders, Martin Beck and Sidney Phillips.

It is warmer in New York than it is on the coast, and business in the theatres is not good.

"Juarez," and "Goodbye Mr. Chips," are standing up strongly against the heat and the competition of the World's Fair. "Young Mr. Lincoln" is doing fairly well, too. Otherwise, the Main Stem box-offices are faltering.

---

There is a general seasonal decline in the grosses at this time of the year, but the present drop in Broadway grosses is sharper than has been anticipated. The grosses are from 20 to 65 per cent below expectations.

A dozen legit shows have closed during the month.

---

Leaving Hollywood a week ago, where business seemed pretty good, and passing through Chicago, where business was awful, we journeyed to Springfield, Illinois, for the premiere of "Young Mr. Lincoln" on Memorial Day. It was a great Lincoln Day. No doubt Hollywood had an equally great premiere on June 2, but the south was not to be outdone in its homage to the picture. Exhibitors from all parts of Texas came to Houston to attend the Lone Star State's premiere of the film at the Metropolitan on Thursday.

---

"Why not a movie about young Mr. Washington?" asks the *New York Daily News*, in an editorial on Tuesday. And—we ditto—why not? It is the fact that Kate Cameron, the *News*, critic gave "Young Mr. Lincoln," the new Darryl Zanuck, 20th Century-Fox picture a 4-star rating which inspires the newspaper to comment editorially on the subject. With this the editor of the *News* turns in an editorial script suggesting how to make the film. It is altogether a nice and fitting tribute to the screen's possibilities for historical dramaturgy.

---

In Hollywood, the folks are talking about the businesslike management of the Paramount studio by Y. Frank Freeman. Overhead operations have been considerably reduced and production speeded up. Jack Moss has been added to the roster of producers. He is considered topnotch.

At the General Service studios, where Edward Small makes his pictures, enthusiastic whispers are wafted about "The Man in the Iron Mask," said to be among Small's greatest productions. The boys and girls are excited about this one.

---

Walter Wanger, at the Goldwyn studios, will have a real ice scene in his "Winter Carnival." It was quite a show to see the shooting of this sequence with the lads and lassies whirling down a real ski slide on natural ice right in the studio.

---

At 20th Century-Fox, they are very happy over "Second Fiddle," with Tyrone Power, Sonja Henie and Minna Gombel, directed by Sidney Lanfield; and "Hotel for Women," directed by Gregory Ratoff, and "The Rains Came."

---

Samuel Goldwyn is ready to offer a new thrill in pictures with "Music School," a story of the regeneration of youngsters of the slums by music. Jascha Heifetz makes his film debut in this one. Goldwyn also is about ready with "Road to Glory," a story of the Philippines with Gary Cooper and Andrea Leeds, directed by Henry Hathaway.

---

At the Hotel Edison, next Monday, on behalf of the refugees, there will be a Benny Goodman testimonial dinner. William Morris is treasurer of the committee.

---

David Selznick will feature Ingrid Bergman, a Swedish actress, in his new picture, "Intermezzo,'" and Irene, Hollywood stylist, has been retained to costume Miss Bergman.

# Bush Chosen Press-Exploit Chief for Fo

Rodney Bush, 20th Century-Fox e ploitation manager, yesterday was a pointed head of the company's pul licity and exploitation depart which have been merged.

The appointment was disclosed Charles E. McCarthy, director of a vertising and publicity, who said t merger is in the interest of great efficiency.

Leonard Gaynor, with the publici department seven years, resigned ye terday and plans a vacation. His wo will be taken over by William Chambliss, until now assistant Bush in the exploitation departmen Earle Wingart will continue to hand publicity and trade paper contacts.

Bush will have complete charge publicity and exploitation under M Carthy. He joined the company tw years ago to handle cooperative ca paigns on major pictures. Prior joining the company he was easte representative for Walter Wang Productions. He received his ear training in theatres and was wi Paramount and RKO in Hollywoo and New York.

Gaynor has been in charge of co tacts with New York newspapers a syndicates and has worked on ma major campaigns. He also had char of exploitation until the exploitati department was established last yea

## *Stop Probing AFA Affairs, 4A Advise*

American Federation of Actors ye terday sent a resolution to Associate Actors and Artistes of America, th parent body, demanding that the 14 weeks' investigation of A.F.A. affai be concluded immediately. It wa pointed out that the investigation, o iginally requested by the A.F.A. itsel is seriously hampering union activit

Television jurisdiction meetin scheduled for today has been post poned by the A.A.A.A. Actors' Equit appointed a committee of six to a as an advisory body to its 4-A dele gates. Equity feeling is that questio of television and reconstruction of th parent body require decisions by larger group.

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# 'Redwoods' Milwaukee's Best, $12,000

MILWAUKEE, June 6.—Bob Crosby's band and "Romance of the Redwoods" grossed $12,000 at the Riverside. Second money went to "Calling Dr. Kildare" and "Bridal Suite" with $6,000 at the Wisconsin.

Estimated takings for the week ending June 1-2:

**"The Birth of a Baby"**
ALHAMBRA — (2,660) (25c-35c-50c) 7 days, 2nd week. Gross: $4,000.
**"Romance of the Redwoods" (Col.)**
RIVERSIDE—(2,700) (25c-30c-40c) 7 days. Stage: Bob Crosby and his ork. Gross: $12,000. (Average, $6,500)
**"Confessions of a Nazi Spy" (W. B.)**
**"Sorority House" (RKO)**
WARNER — (2,400) (35c-50c) 7 days. Gross: $4,500. (Average, $4,500)
**"Only Angels Have Wings" (Col.)**
**"Boy Friend" (20th-Fox)**
PALACE—(2,400) (35c-50c) 7 days. Gross: $4,000. (Average, $4,000)
**"Union Pacific" (Para.)**
**"Sudden Money" (Para.)**
STRAND—(1,400) (35c-50c) 7 days, 2nd week. Gross: $1,500. (Average, $2,000)
**"Calling Dr. Kildare" (M-G-M)**
**"Bridal Suite" (M-G-M)**
WISCONSIN — (3,200) (35c-50c) 7 days. Gross: $6,000. (Average, $5,500)

## *New Union Formed After 5-Boro Strike*

Seeking to avoid any jurisdictional dispute with the I. A. T. S. E., the Theatrical Managers, Agents and Treasurers Union yesterday declined to negotiate contracts for cashiers, ushers, doormen, matrons and ticket takers in conferences with the Five Boro circuit.

Instead a new union, the Entertainment, Exhibition and Exposition Employes National Union has been formed, which will represent such employes.

At present, members of this new union are limited to the Five Boro circuit and the City Hall, Manhattan. In both cases, a sympathy walkout took place when the T. M. A. T. declared a strike.

The E. E. E. E. N. U. is represented by Gustave A. Gerber, who is also attorney for T. M. A. T. The new union has no affiliation with either the A. F. of L. or the C. I. O. In order to make the separation of both unions more definite, Gerber filed a petition for recognition for the new union with the State Labor Relations Board.

## *Houghton Returns To Breen's Office*

Arthur Houghton of the West Coast staff of Joseph I. Breen, Production Code Administration head, has returned from London where he went several months ago on a leave of absence.

Houghton was attached to the staff of Ambassador Joseph P. Kennedy in connection with British film quota matters.

Houghton left yesterday for the coast to resume his duties with Breen. He has long been a personal friend and associate of Kennedy.

## *Barrymore Tax Liens*

HOLLYWOOD, June 6.—Income tax liens have been filed by the Federal Government against John Barrymore for $17,296 and Elaine Barrymore for $14,462.

# *Hollywood Previews*

## *"Maisie"*

*(M-G-M)*

HOLLYWOOD, June 6.—"Maisie" isn't one picture—it's five. The whole is highly entertaining and possesses unique exploitation potentialities. So are, and do, its separate but smoothly blended components.

It's a western even down to the cowboy crooning. While one part tells a comedy romance story, the other pictures a philandering romance. Every one knows that the man who died committed suicide, but circumstances make it appear murder. And out of all comes an exciting court drama. Everything that happens is as natural as it is understandable and believable. To the credit of producer J. Walter Ruben, director Edward L. Marin, story author Wilson Collison and screenplay writer Mary McCall, Jr., there isn't a vestige of artificiality in the show. It concerns human beings doing things that ordinary men and women might be expected to do.

Down on her luck, show-girl Ann Sothern attaches herself to woman hating cowboy, Robert Young. Glib, crackling dialogue and cleverly contrived characterizations and situations make their experiences enjoyable. Meanwhile Ian Hunter and his wife, Ruth Hussey, of whom he is jealously suspicious, come to the ranch and it is Miss Sothern's lot to catch (Miss Hussey) in a clandestine rendezvous with Anthony Allan. Disillusioned, although he does not know the facts, Hunter commits suicide and circumstantial evidence charges Young with his murder. But a letter which Hunter wrote to Miss Sothern, who has left the ranch, catches up with her while she is on the witness stand trying to save Young. Not only does the information prove Hunter's self destruction, but leaves the ranch to Miss Sothern, who promptly marries Young.

Fast moving, never losing its interest and full of incidents that provoke smiles and laughs as well as occasional pathos, the show looks like a sleeper attraction that should generate much favorable word of mouth comment.

Running time, 75 minutes. "G."* G. McC.

## *"The Girl and the Gambler"*

*(RKO)*

HOLLYWOOD, June 6.—A little music and dancing, both pleasing, have been added to "The Girl and the Gambler," which was the Willard Mack stage play, "The Dove" as produced by David Belasco since it last was a subject of screen attention. Essentially, however, the piece depends upon comedy and melodrama as its entertainment elements. Plot concerns the adventures of a romantic Mexican bandit, a cantina entertainer and an American gambler. The gay bandit, Leo Carrillo, considering himself a Don Juan, wagers with his cohorts that he can win the heart of "The Dove," Steffi Duna. She, to complicate things, has promised herself to dealer Tim Holt. Unwilling to have his pride humbled, Carrillo arranges to have his men shoot Holt and forces Miss Duna to go away with him. But she, playing upon her captor's vanity, tricks and wiles him into a bet which when she wins allows her to escape Carrillo and rejoin Holt. Accompanying action naturally stresses the standard western outdoor excitement and thrills.

Joseph A. Fields and Clarence Young wrote the present adaptation and Lew Landers directed.

Running time, 64 minutes. "G."*

## *"Inside Information"*

*(Universal)*

HOLLYWOOD, June 6.—Hackneyed though this story might be, "Inside Information" has some exploitable qualities by virtue of the cinematically old struggle between two schools of police work—scientific detection and "rubber hose in back rooms."

The cast is composed of Dick Foran, Harry Carey, June Lang, Mary Carlisle, Addison Richards, Joseph Sawyer, Grant Richards, Selmar Jackson, Paul McVey, Frederick Burton, Robert Homans and John Harmon.

Foran enacts the role of a rookie cop trained in scientific methods of crime detection. His enthusiasm is not dimmed by Carey, an officer of the old school of using the fists on suspects, and under whom he is placed. Carey's niece, with whom he falls in love, backs Foran and eventually enlists the aid of Carey in catching jewel thieves.

Charles Lamont directed the picture, which was produced by Irving Starr. Alex Gottlieb wrote the screenplay which is based on an original story, "The 47th Precinct," by Martin Mooney and Burnet Hershey.

Running time, 62 minutes. "G."* VANCE KING

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**"G" denotes general classification.*

# 'Hardys' Does $15,600, Lead In Twin Cities

MINNEAPOLIS, June 6.—Twin city business, spurred by the holidays, was good. In Minneapolis, "The Hardys Ride High" did $9,500 at the State.

In St. Paul, the same picture [illegible]s also the leader, grossing $6,100 at the Riviera.

Estimated takings for the week ending June 1:

### *Minneapolis:*

**"Blind Alley" (Col.)**
**"Kid from Texas" (M-G-M)**
**"Racketeers on the Range" (RKO)**
**"Fixer Dugan" (RKO)**
ASTER—(900) (15c-25c) dual runs split week. Gross: $1,500. (Average, $1,500)
**"Union Pacific" (Para.)**
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)
**"Return of the Cisco Kid" (20th-Fox)**
GOPHER — (990) (25c) 7 days. Gross: $3,100. (Average, $2,500)
**'Confessions of a Nazi Spy" (W. B.)**
**"Only Angels Have Wings" (Col.)**
ORPHEUM — (2,900) (25c-40c) "Confessions," 5 days; "Angels," 2 days. Gross: $7,000. (Average, $4,800)
**"The Hardys Ride High" (M-G-M)**
STATE—(2,300) (25c-40c) 7 days. Gross: $9,500. (Average, $4,400)
**"Prison Without Bars" (U. A.)**
WORLD—(400) (25c-55c) 7 days. Gross: $1,000. (Average, $1,400)

### *St. Paul:*

**"Confessions of a Nazi Spy" (W. B.)**
ORPHEUM — (2,000) (25c-40c) 6 days. Gross: $3,700. (Average, $3,200)
**"The Hardys Ride High" (M-G-M)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $6,100. (Average, $4,000)
**"Let Freedom Ring" (M-G-M)**
RIVIERA—(1,000) (25c-40c) 7 days. Gross: $2,100. (Average, $1,800)
**"Society Smugglers" (Univ.)**
**"Mr. Moto in Danger Island" (20th-Fox)**
TOWER — (1,000) (25c) 7 days. Gross: $2,500. (Average, $1,500)
**"Dark Rapture" (Univ.)**
WORLD — (400) (25c-35c) 7 days, 2nd week. Gross: $600. (Average, $700)

## *Fair Amusements Area Faces Strike*

(*Continued from page* 1)

likely that many other unions may refuse to enter the Fair grounds. Additionally, a number of concessions which have signed union agreements with Council members will also be affected as it will be a general strike and union members will not be permitted to enter.

A. F.A. officials declared themselves unsatisfied with the manner in which contract terms are being enforced, but have been unable to obtain satisfaction. Local 306 has been dickering unsuccessfully for its men to operate the 16mm. machines. More recently, the Cameramen's Union refused to permit newsreel men to enter the Fair. A truce was declared, but no satisfactory settlement has been negotiated.

Fair authorities yesterday maintained their policy of "no comment on labor matters."

## *Frisco Fair Shorts*

Emerson Yorke, in cooperation with Loucks and Norling Studios, Inc., has completed a series of documentary short subjects for the Golden Gate International Exposition Commission with the assistance of H. R. Stusman, Assistant to the United States Commissioner, and Nathan D. Golden.

# TRIPLE SUCCESS

THREE good reasons why Eastman's three new films enjoy continued success: The outstanding special features they bring to their particular jobs. . . . The unsurpassed photographic quality they impart to every scene. . . . The priceless assurance of reliability they give to the whole motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

## EASTMAN

**PLUS-X**
*for general studio use*

**SUPER-XX**
*for all difficult shots*

**BACKGROUND-X**
*for backgrounds and general exterior work*

# Skouras Tells Facts Behind Warner Split

*(Continued from page 1)*

they should abolish double features in some three hundred theatres which they own and operate themselves.

"For instance, the Warner Beverly Theatre of Beverly Hills, Cal., has recently played double bill such attractions as the following: 'Four Daughters' with 'Valley of the Giants,' 'Wings of the Navy' with 'Yes, My Darling Daughter,' 'Dodge City' with 'Story of Vernon and Irene Castle,' 'Three Smart Girls' with 'Confessions of a Nazi Spy,' and 'Dark Victory' with 'Confessions of a Nazi Spy.'

"This double feature policy is practiced in over three hundred Warner theatres located in the territories of Pittsburgh, Chicago and Albany and in the states of Connecticut, New Jersey, Ohio and Wisconsin.

"Our effort is and always has been to arrange programs which would yield the greatest revenue both for the producer and exhibitor and at the same time afford the best entertainment for the public.

### Double Features Demanded

"While we appreciate that many people do not like double features, nevertheless experience has shown us that the masses demand double features. It is well known, of course, that many excellent pictures are not box office attractions in themselves.

"These pictures have found an audience by being coupled on the program with other pictures that had greater public appeal. This has been beneficial to the public, to the producer and to the theatre operator. This necessity is recognized by the Warner Theatres as well as by other theatre operators throughout the country.

### Opposed to Dual Shows

"We ourselves are personally opposed to double features, and I want to point out that as long ago as the NRA conferences in Washington, our representative was instructed to advocate the abolition of double feature programs. Although he was unsuccessful, his endeavors and the efforts of those who joined with him are a matter of record. It is well recognized that competitive conditions at present necessitate the use of double feature programs in certain localities.

"In their statement Warner Bros. attacked the showmanship with which we exhibited their product and stated that our methods were costing them loss of revenue. Under the present management of Fox West Coast Theatres Corporation and the other theatre interests of National Theatres Corporation, the film rental paid to Warners for their pictures was about $500,000 for the year 1932 and will be over $1,500,000 for the year 1939 for the same number of theatres."

From Hollywood yesterday came word that Gradwell Sears, Warner distribution chief, summoned his sales executives for conferences Thursday and Friday to set up machinery for selling new season product away from Fox West Coast.

Sears said about 50 product deals to independents in Kansas and vicinity have already been made.

# *Theatre, Personnel Notes*

### Connecticut Closings

New Haven, June 6.—Warners have closed the Tremont, Ansonia, Conn., for the summer but the Capitol, Danbury, dark last summer, remains open. Loew's expect to close the Palace, Hartford. Fishman Theatres have reduced Apollo operation to three days a week, and will shut the Lyric and Winchester.

### Albee to Legitimate

Providence, June 6.—RKO-Albee, which ceased presentation of films May 31, has been leased by Jules Leventhal, New York legitimate producer, for the summer road show season.

### Named Canton Manager

Canton, O., June 6.—R. C. McWilliams has been appointed assistant manager of the Palace here by George A. Delis, district manager of the Interstate Theatres, Inc.

### Planning Denver Theatre

Denver, June 6.—J. J. Goodstein, who formerly operated theatres in Pueblo, Rocky Ford and Loveland, Col., plans a $100,000 house here, to seat 1,000.

### Buys Spokane House

Spokane, Wash., June 6.—H. A. Black, Seattle exhibitor, has acquired the Empress here from Ronald Camp. Before reopening he is remodeling.

### Weiss Theatre Ready

Stamford, Conn., June 6.—Weiss Amusement Co., shortly will open the 750-seat Avon here. Samuel Weiss will manage the house.

### Building in Ontario

Toronto, June 6.—Harry Goldhar is constructing a new theatre at Galt, Ontario, the Palace, scheduled to open July 1. It will seat 800.

### Close Columbus House

Columbus, O., June 6.—Majestic here has closed and will reopen in the fall, according to M. F. McCafferty, manager.

### Plans Bethel, Conn., House

Bethel, Conn., June 6.—Athan Prakas, of the Rivoli, Bridgeport, plans a theatre and three stores here.

### Opens in Marion, O.

Marion, O., June 6.—Oakland here has been reopened by D. P. Bowman of Bowman Theatres, Inc.

### Buys Nebraska House

Denver, June 6.—R. M. Hough has bought the Star at Imperial, Neb., from Ruby Teller.

### Denver Manager Resigns

Denver, June 6.—Frank Milton has resigned as manager of the Santa Fe theatre.

### Summer Reopenings

West End, Long Beach, and the Lido will reopen shortly for the summer.

### Remodel in Denver

Denver, June 6.—Fox will remodel the Broadway, at a cost of $20,000.

### Alden Reopens July 1

The Alden (RKO), Jamaica, will reopen July 1.

### Lefton Shifts Men

Cleveland, June 6.—Nat L. Lefton, Ohio Republic franchise owner, has made the followings shifts in the local office: Frank E. Belles, covering the Toledo territory, has been promoted to special representative. He will work the entire Ohio territory and handle city sales as assistant to S. P. Gorrel, branch manager. Rudy Norton succeeds Belles in Toledo.

### Midwest Moves Ritter

Kansas City, June 6.—Frank Ritter, manager of the Fox Tower, and Harry Biederman, assistant, have been shifted by Fox Midwest to the Uptown, where they will occupy the same position. The Fox Tower has closed for the summer.

### Close Cincinnati Shubert

Cincinnati, June 6.—RKO Shubert, playing stage shows and pictures, but which switched to straight films several weeks ago, has closed. Reopening with combination policy is scheduled for Sept. 1.

### Open in Bantam, Conn.

Bantam, Conn., June 6. — Joseph Reed has opened the renovated New Bantam. Reed will manage the house, while Joseph Reed, Jr., will take over the Bryan Memorial, Washington Depot.

### Open Soon in Ontario

Toronto, June 6.—The Palace, in course of construction at Galt, Ont., is scheduled to open July 1, according to the owner, Harry Goldhar of Toronto. It will seat 800 persons.

### Open Conn. Theatre

Stafford, Conn., June 6. — John Bourgeois and John, Jr., newcomers to the business, have converted the Town Hall into a 250-seat film theatre.

### Builds in Windsor, Conn.

Windsor, Conn., June 6.—Nathan Lampert has acquired a site for a new 500-seat house this summer. Lampert already operates a smaller house here.

### Remodel in Vancouver

Vancouver, B. C., June 6.—Princess, subsequent run here, plans complete renovation at a cost of $40,000 to $50,000.

### Close Cleveland House

Cleveland, June 6. — The Penn Square, subsequent run independent neighborhood house, has closed for the summer.

## *Theatres in Iowa Get Improvements*

Des Moines, June 6.—Recent theatre improvements in Iowa include the following:

Fred Fritz, who sold the Oxford Theatre at Oxford Junction, has repurchased it and closed it for redecoration. . . . Robert Oliver, manager of the Iowa and Onawa at Onawa, is installing new air conditioning in the Iowa. . . . Lester Anderson has installed a new amplifier and lenses in his Cozy at Fayette. . . . The Des Moines Universal Exchange is undergoing extensive remodeling.

# Reich Protes
# on 'Nazi Spy
# To Hays Offic

There will be no "appeasement"
German resentment over Warner
"Confessions of a Nazi Spy," again
which German Charge d'Affair
Hans Thomsen lodged a protest
the State Department in Washingto
it was indicated yesterday.

The State Department forwarde
the protest to the Hays office, whic
took the matter calmly, and yesterda
notified Warners of Germany's di
pleasure. There the matter rests.

Acknowledging the protest, t
Hays office informed the State D
partment that the picture was base
on actual court records of the Na
spy case in New York. The M. P. I
D. A. gave the film a production co
seal as conforming to the requir
ments of the Production Code Admi
istration.

At Washington, the State Depar
ment maintained its usual attitud
pointing out that it has no contr
over freedom of expression. The Ge
man Embassy had charged the film
"pernicious propaganda," which wi
react against friendly relations b
tween the United States and Ge
many.

The State Department has learne
that the Nazis plan a retaliatory seri
of documentary films on America
unemployment, gangsterism and jud
cial corruption.

## *Warners Previews 'Daughters' June 1*

Warners will entertain trade pape
editors and exhibitors at a special pre
view of "Daughters Courageous," an
luncheon at the Warner home offic
on June 14. On the same day th
picture will have its coast premier
at the W. B. Hollywood Theatr
Carl Lesserman, Mort Blumenstoc
and Sid Rechetnick will be hosts at th
preview here. This is the beginnin
of Warners' plan to have simultaneou
East-West premieres.

## *Lincoln Stamps at Roxy*

In conjunction with the showing o
"Young Mr. Lincoln," the Roxy is dis
playing on its balcony foyer a collec
tion of stamps bearing the engrave
head of Lincoln. Collection was com
piled by Edward Stern, president
Economists Stamp Co. Also in th
exhibit are political badges an
brochures used during Lincoln's presi
dency.

## *Delay 'Spy' in London*

"Confessions of a Nazi Spy," whic
was to open at the Warner Theatr
in London yesterday, according to ad
vices from England, has been put of
for one week. Leon Turrou, forme
F.B.I. agent and author of the story
is now in London engaged on th
advance campaign on the film.

## *Warner Chiefs Depart*

Warner Theatre zone manager
leave today for their respective terri
tories after a one-day conference a
the home office. Joseph Bernhard
general manager, presided. A dinne
at the Hotel Astor last night close
the meeting.

# Film Business Up 31 Million, SEC Reports

(*Continued from page* 1)

including non-operating gains and sses, prior claims, interest and in- [illegible] taxes), of $34,091,330, or 8.3 [illegible] cent of sales, was reported for 937, compared with $27,146,462, or 2 per cent, for 1936, and $13,039,979, r 3.8 per cent, for 1935.

For 1937, the return on invested apital at book value, based on a total et profit before prior claims, interest nd income taxes of $49,000,000, was 0.6 per cent, against 9.2 per cent in 936 and 5.9 per cent in 1935. Dividends paid by the seven companies taled $22,000,000 out of the $34,000,00 combined profit after all charges; the previous year dividends totaled 14,000,000 and in 1935 they were 6,000,000.

Of the total of approximately $42,00.000 paid out in dividends during e four years, 1934-'37, $40,000,000 ere in cash and $2,000,000 in stock.

The volume of business of the seven mpanies for which complete information is available was given by the mmission as follows:

Columbia Pictures: $20,101,699 in 937; $19,066,100 in 1936; $17,499,028 1935.

Educational: $2,312,849 in 1937; 2,425,370 in 1936; $2,597,824 in 1935.

Loew's: $107,821,923 in 1937; $94,05.279 in 1936; $85,032,702 in 1935.

Paramount: $104,185,953 in 1937; 102,820,646 in 1936; $90,581,006 in 935.

Twentieth Century-Fox: $56,172,92 in 1937; $51,670,694 in 1936; $42,47.609 in 1935.

Universal Pictures: $16,396,242 in 937; $14,711,314 in 1936; $14,317,188 1935.

Warner Brothers: $99,864,237 in 937; $90,204,127 in 1936; $84,475,567 1935.

For 1938, as indicated in financial atements of the companies, and not cluded in the S.E.C. report, total perating revenue was as follows:

Loew's, $122,737,214; Universal, 20,190,117; 20th Century-Fox, $60,01,473; Warners, $102,205,911; Paraount, $104,360,381; Columbia, $20,01.699.

The total assets of these companies 1937 were: Columbia, $16,515,933; ducational, $996,902; Loews, $142,44,024; Paramount, $120,219,281; 0th Century-Fox, $60,364,096; Universal Pictures, $11,765,602; Warner Brothers, $177,544,606.

Other companies on which some data was available were Grand National Films, for which only 1936 sales of $1,205,651 and 1936 total assets of $1,857,652 were reported; Monogram, for which only 1937 11-month sales of $286,780 and 1937 assets of $1,262,376 were available, and Universal Corp., parent of Universal Pictures, which had sales in 1937 of $16,359,879 against $14,718,696 in 1936, and assets in 1937 of $13,372,241.

# *'Peace' Parleys with U. S. May Yield Consent Decree*

(*Continued from page* 1)

and we hope much will come out of it."

Members of the group said that it was probable a number of conferences would be held before a concrete program was worked out, but that some suggestions would be brought to Washington next week.

The film representatives apparently were well pleased over the friendly reception accorded them and hopeful that the department could be of assistance in solving the problems which were outlined, either by itself or in cooperation with other branches of the industry.

While both department and film officials denied that the New York suit was a subject of discussion, it was learned unofficially that the matter was brought up almost at the inception of the meeting this morning, together with block booking and the trade practice proposal.

It was said that the industry appeared ready to make quite a few concessions to secure a consent decree and seems to be in a "bargaining mood."

The bulk of the information which will be sought of Hazen it was inpeared ready to make quite a few condicated, will consist of material necessary for a full understanding of the entire situation by department officials before they take the matter up with the Department of Justice.

It was pointed out that if trade troubles generally were all that was involved, it would not be likely that the highest salaried men in the industry would be ready to make repeated trips to Washington.

Undoubtedly, it was said, the major purpose of the meetings is a consent decree, with the department serving in a liaison role. It was also pointed out that this was the third group to hold such a meeting with department heads and that the other two groups also were from industries against which the department of justice is proceeding.

## *Paramount Greets Delegates Today*

**Hollywood, June 6.—Paramount convention delegates arrive on a 14-car Union Pacific special train tomorrow morning and will go to the studio for the welcome ceremonies.**

**The convention will get under way Thursday and end with a dinner-dance Saturday. Following the dance, delegates will go to San Francisco where they will be guests of Paramount at the Fair.**

## RKO'S Convention Committees Named

Jules Levy, RKO general sales manager, yesterday named the committees to officiate at the company's sales convention at the Westchester Country Club, Rye, N. Y., June 19-22. The committees are as follows:

General—A. A. Schubart, M. G. Poller, W. J. McShea, Harry Gittleson, S. Barret McCormick; reception—Schubart, McShea, Poller, Robert Wolff, Frank L. Drumm, Phil Hodes, Jack Ellis, Lou Kutinsky, Edward Carroll, Harry Zeitals, John Dacey; foreign reception—Phil Reisman, B. D. Lion, Michael Hoffay, R. L. Hawkinson; publicity—McCormick, Rutgers Neilson, Gittleson, Hoffay; decorations—Leon J. Bamberger, Lou Gaudreau; transportation—McShea, Gegenbach.

Gus Schaefer, district manager for Central America and Mexico, arrived yesterday on *Orizaba* for the meeting.

# Seek to Settle Upstate Fight On Clearance

Negotiations looking to revision of clearance upstate will begin here late this week or next week. The first meeting will discuss clearance in Albany, Troy, Schenectady.

New York Allied, which seeks relief for the independents, says that the circuits' protection in that area is as much as 180 days and 120 days in some spots.

Upstate delegations will meet here with Si Fabian, H. M. Richey of RKO and a Warner representative. Max A. Cohen, New York Allied president; E. Thornton Kelly, state executive secretary, and Harry G. Kosch, counsel, will sit in.

Allied members will meet in Buffalo Monday on clearance. Kelly, who will attend the meeting, will attend the Variety Club dinner that night to Joseph Miller, Columbia branch manager, transferred to Albany, and then will leave for the national convention at Minneapolis.

## *Baird Demonstrating Television Shortly*

Baird Television (Gaumont British) is completing arrangements for a demonstration of its television equipment for theatres here.

In correcting an impression that Baird has "deferred indefinitely" putting large screen apparatus in New York theatres, officials yesterday said that the television demonstration setup in the company's offices at 1600 Broadway is nearly complete. Demonstrations will be held prior to arrangements with theatres and circuits which have made inquiries.

## *Batcheller with Reed*

HOLLYWOOD, June 6. — George Batcheller, Jr., for two years Republic assistant director, has resigned to join Roland Reed Productions as assistant to Reed, with headquarters at the Selznick International studio.

# *The Newsreel Parade*

*New issues devote considerable otage to sporting events. Reels and eir contents follow:*

MOVIETONE NEWS, No. 77—League Nations in session. Queen Wilhelmina Belgium. Female soldiers in Rome. Smile Girl" is chosen. Huge transport ane over New York. Aviation meet in rance. Miss American Aviation is owned. Bombers fly in formation. Lew ehr. English derby. Golf tournament. olo match. Graduation at Annapolis.

NEWS OF THE DAY, No. 275—Level ea for new dam. King and Queen in anada. Middies graduate. DC4 over ew York. Glider meet in France. Fred nite at Lourdes Shrine. Mussolini mobzes women. Polo game. Epsom Derby.

PARAMOUNT NEWS, No. 88—Hoover t university graduations. Air circus in rance. Explosion wrecks Ohio school. Inland sea in Washington. Plane in test flight. Derby in England. Lou Nova and Max Baer interviewed. Tony Galento prepares for title bout. America defeats Britain in polo.

RKO PATHE NEWS, No. 92—Refugee ship in Havana harbor. Daladier and Bullitt honor war dead. William Leiserson appointed to Labor Board. Polo series opens. Oil well floods town in California. Danish gymnasts arrive in New York. Galento in training. Belmont Stakes.

UNIVERSAL NEWSREEL, No. 777—Graduation at Annapolis. Refugees on German liner. Women Fascists parade in Rome. King and Queen in Canada. Snite visits France. Area cleared for Coulee Dam. School explosion in Ohio. DC4 arrives in New York. Air show in France. American air show. Indian suicide race. School of gymnasts in New York. International polo match.

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AIR EXPRESS

# No Monopoly, Reply to Suit By Columbia

Columbia yesterday served notice on the Department of Justice that it will apply to Federal Judge William Bondy June 16 for an order either dismissing the Government's anti-trust suit against it, barring the Government from presenting evidence at trial of charges made against Columbia, or directing the Government to file a more detailed bill of particulars on the Government's claim of participation by Columbia in the alleged monopoly in the industry.

Although motion papers have not been filed as yet, it is understood Columbia's motion in many respects follows closely that previously made by the other defendants in their consolidated application, which Judge Bondy is now considering.

Affidavits submitted with the application argued that the Government had no legal right to list instances of violations which referred to the Interstate Circuit in Texas, since these instances were all heard and adjudicated in a previous anti-trust suit in Texas which involved Interstate.

Finally, Columbia will seek a dismissal of the suit in its entirety on the contention, previously raised, that it is only in the production field and not tied up with exhibition. Columbia points to the instances of specific violations in the Government's previous bill which Columbia claims indicates a lack of evidence by the Government of violations in exhibition.

## *Columbia Reports Loss for 9 Months*

Columbia Pictures Corp. yesterday reported net loss for the nine months ended April 1, 1939, of $80,158.80, after all charges and provision for Federal income and other taxes.

The net loss compares with a net profit for the same period the previous year of $438,268.

The balance sheet for the 1939 period shows current assets of $12,105,516.22 and current liabilities of $1,285,161.51. Working capital amounted to approximately $10,800,000.

For the same period in the previous year, curent assets were reported at $11,652,650 and current liabilities at $1,531,825.

## *Carolina Exhibitors Praise Kuykendall*

Myrtle Beach, S. C., June 6.—Membership of the Theatre Owners of North and South Carolina, closing their three-day annual convention here today, voted appreciation to Ed Kuykendall, M.P.T.O.A. president, for his efforts in their behalf on the trade practice code.

The meeting voted a resolution opposing the Neely block booking bill, and approved action of distributors in opposing non-theatrical exhibitions.

## *Times Square Tieup*

Fire atop a building at the southwest corner of 42nd St. and Seventh Ave. tied up Times Square traffic for almost an hour yesterday afternoon. Thousands gathered as flames 10 feet high shot up from the roof.

# BANNER LINES

By JACK BANNER

**JAMES J. WALKER** . . . Politicians apparently make poor spellbinders on the air, strange as that may seem. Jimmie Walker, after only a short period locally on NBC, has been given his notice. Ex-Governor Harold G. Hoffman of New Jersey tried his luck on WOR, but he, too, gave up the ghost a short time ago.

▼

**F. D. R.'S REQUEST** . . . When Kate Smith was invited to sing at the White House by Mrs. Roosevelt at the reception for the King and Queen, Henry Junge, who arranges all White House musicals, requested that the swanee singer provide a list of numbers she intended to sing. Her list provided for "Home on the Range," "Macushla," "Ah, Sweet Mystery of Life" and "These Foolish Things Remind Me of You." Yesterday she received a wire from the President, asking her to include "When the Moon Comes Over the Mountain."

▼

**TED COLLINS SELLS** . . . Ted Collins has sold his new script show, "My Son and I," to General Foods for sponsorship over CBS starting Oct. 9. Betty Garde and Kingsley Colton will be featured in the series. Young & Rubicam handled the deal.

▼

**RUPPERT WON'T BOW TO ELLIOTT** . . . Elliott Roosevelt's commentary won't be heard over WOR tomorrow night at 7:15. That period has been occupied by Jimmy Jemail, broadcasting for Ruppert Beer. Latter's contract specifies that two weeks' notice be given the firm before vacating the period, and Ruppert is taking full advantage of the stipulation.

▼

**CONSIDER THY NEIGHBOR** . . . Last time WOR broadcast a Brooklyn Dodger night baseball game the contest lasted until past 1 A.M. Station was deluged with telephone calls from people who couldn't sleep because of blaring radios. Tonight WOR broadcasts another night game, and announcements will be given throughout the game urging listeners to tune down their sets to lowest reception ebb.

▼

**WMCA TURNS MUSICAL** . . . WMCA, which to this point has avoided presentation of serious music, will compete with WQXR and WHN by presenting a one-hour recorded show of classics each night at 11 o'clock starting Monday.

▼

**PERSONALS** . . . Vaughn de Leath, grand old lady of radio, receives a deserved break when she steps in as the Summer replacement to the "Voice of Experience" over Mutual Sept. 26. . . . Larry Menkin has been signed as writer and director for the new Fred Waring program. . . . Ernie Cutting. former director of auditions for NBC, is now free lancing as talent scout and analyst and has made tieups with principal recording studios whereby his firm will conduct search for talent. . . . Guy Lombardo's speedboat burned down yesterday, but Guy has two others left, so don't fret. . . . Bette Garde is back from a Bermuda vacation.

▼

**BILL BACHER OUT** . . Bill Bacher will be through as director of the Texaco Star Theatre when the series takes its hiatus. Upon its return Ed Gardner will take over production of the series.

▼

**BERNIE AND THE LADS** . . . Won't have any sponsor worries for some time to come, for the troupe has just been contracted to continue through the Fall and well into the Winter for Half and Half tobacco.

▼

**SISTER WRITERS** . . . Ruth Borden, sister of Edith Meiser, writer of the "Dr. Susan Brown" series for Lux, achieves full stature as a network author, by signing on as script writer of the "Valiant Lady" sketches.

▼

**PALEY AWARD** . . . Wilson E. Burgess, amateur radio operator, yesterday received the William S. Paley Amateur Radio Award for heroic service during the New England hurricane last year. In addition to a host of CBS and government officials, the turnout of newspapermen at the luncheon included E. L. Bragdon, Alton Cook, Nick Kenny, Charles Butterfield, Len Carlton, Orrin Dunlap, Dick O'Brien, Ben Gross, Sam Kaufman, Eldridge Peterson, Jo Ranson, Bruce Robertson, Ted Rogers, Fred Sammis and M. H. Shapiro.

## *E. C. Grainger Plans New Theatre in Ohio*

E. C. Grainger, general manager of Shea Theatrical Enterprises, was in Columbus yesterday, conferring with H. C. Holbrook, architect for the circuit, on construction of a new theatre in New Philadelphia, O. Shea owns and operates the Union Opera House in that city.

Following these conferences, Grainger will make a tour of the Shea Ohio towns, including Fremont, Lancaster, Youngstown, Newark, Marietta, Cambridge and Akron.

## *Paramount to Honor Edison in Broadcast*

Los Angeles, June 6.—Paramount has completed arrangements with CBS for presentation of a network program commemorating the 50th anniversary of Thomas Edison's invention of the Kinetescope. The broadcast will precede the banquet at the Paramount convention, and will be aired at 9 p. m

Jack Benny will be master of ceremonies. Others on the program will be Cecil B. DeMille, Bob Hope, Dorothy Lamour, Tito Guizar and Linda Ware.

# U. S. Notable In Chile Salute To U. S. Films

Will H. Hays, president of Motio Picture Producers and Distributors o America; Alberto Cabero, Chilea Ambassador to the United St Martin Quigley, publisher and e in-chief of the Quigley Publications and Anibal Jara Letelier, Chilea Consul-General, are among speaker expected to take part in the Pan American radio broadcast arrange on the occasion of the reception tendered by the Chilean Government i honor of the American motion pictur industry, with the co-operation o *Teatro al Día,* the Quigley Pan American magazine.

This reception will be held Friday June 16, from 2 to 6 P.M. in th Chilean Pavilion at the World's Fair Special buses will drive the guest leaving from 9 Rockefeller Plaza where offices of the Chilean Consulate General are located in New York.

The committee in charge of the affair has arranged for a typical Chilea fiesta which will include outstandin native stars at present appearing i New York City. A buffet consistin of Chilean dishes will be served, an the industry will be toasted with Chilean wine.

The broadcast has been arrange through CBS and its international stations in New York and Philadelphia It will be re-transmitted by leadin stations in Latin America.

Dorita Norby, Argentine delegat to the World's Fair, and one of Lati American foremost folk-lore singers Tito Coral, Venezuelan baritone, an other noted Spanish-American artist will take part in the program.

Alfonso Merlet, Chilean delegate t the World's Fair, who with H. Albán Mestanza, editor of *Teatro al Día* are in charge of the arrangements will be master of ceremonies.

## *'Happiness' Opens At Paramount Today*

"Invitation to Happiness" opens today at the Paramount. Fourth week o "Union Pacific" grossed an estimated $21,000. Both "Juarez" and "Young Mr. Lincoln" got off to good starts with a three-week run possible fo both.

"Young Mr. Lincoln" drew an estimated $32,000 in its first five days a the Roxy and "Juarez" grossed an estimated $34,000 at the Strand.

"Goodbye, Mr. Chips" is still a strong draw at the Astor with an estimated $15,000 for its third week. "Charlie Chan in Reno" drew an estimated $2,500 in four days at the Globe. Columbia's "Clouds Over Europe" is set for the Music Hall June 15.

## *Send Out Contracts For Projectionists*

Operators' Union, Local 306, has sent all home offices and newsreel companies formal contracts covering projectionists. Contracts embody terms agreed upon in April when the 306 strike was settled. Wages are $87.50 weekly for projectionists. The contracts run to Aug. 1, 1940.

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OL. 45. NO. 110 NEW YORK, THURSDAY, JUNE 8, 1939 TEN CENTS

# ʼaramount's Films Budget $30,000,000

## 8 Features for 1939-'40; Sales Meeting Today

Los Angeles, June 7.—Paramount's hedule of 58 features for next sea- n will represent an investment of 0,000,000, company officials said to- y. The national sales convention pens at the Ambassador here tomor- w.

The current year's releases, includ- g westerns, and two from England ill total 61 pictures.

The total expenditure for new sea- n product is expected to exceed last ason's by at least $2,500,000. This cludes the production cost of at least wo features from England to be giv- world distribution by Paramount.

### 275 Delegates Convene

The three-day meeting will be at- nded by about 275 delegates, headed Adolph Zukor, board chairman; arney Balaban, president: Stanton riffis, chairman of the executive com- ittee, and Neil F. Agnew, vice-presi- nt in charge of distribution.

Agnew will act as chairman at the ening business session tomorrow orning. Y. Frank Freeman, vice- esident in charge of studio opera-

(*Continued on page 7*)

# Jrge Self-Surety For Independents

Self-insurance by New York inde- ndent exhibitors for liability cover- ge will be investigated by an I.T.O.A. mmittee appointed yesterday by arry Brandt, president.

Arthur Pelterson of the Mitchell ay, Jr., insurance office at the T.O.A. meeting yesterday outlined plan for group self-insurance where- economies can be effected.

Pelterson said that the rate is now cents a seat in New York City and creases are in prospect. The rate xt year may be $1 a seat, he said. y group self-insurance, savings of om 25 to 75 per cent may be made, declared.

He pointed out that relief can come ly by collective action, and that the ew circuit has been a self-insurer r several years.

The I.T.O.A. committee will de- rmine the attitude of members to- ard the proposal. It consists of Otto ederer, chairman; David Weinstock, rances Bregman, Irving Renner, ernard Pear.

# *New Neely Strategy*

## *Sees Way to Assure Vote by Having Bill Listed as 'Unfinished Business'*

**Washington, June 7.—In an attempt to force prompt action on his block booking bill, Senator Neely next week will file a motion to make his bill unfinished business in the Senate.**

**Observers believe that the motion will be approved and that Neely's measure, when brought up for a vote, will be passed and sent to the House, where action will be postponed until the next session of Congress.**

**Senator Neely's effort to force consideration of the bill is based on his expectation that when the bill is reached during a call of the calendar it will be overlooked. A single objection, undebatable, can prevent consideration of a bill on the calendar.**

**While it is expected that there will be a lengthy debate on the bill, it is not believed that any real effort will be made by Administration leaders to defeat it. The Senate last year passed the measure with only two dissenting votes.**

# *20 Stations Fume as Fair Restricts Royal Broadcast*

## *Only Networks Permitted at Reception Saturday; Reason Is Mystery*

Independent metropolitan radio stations—there are approximately 20—have been denied the privilege of broadcasting from Federal Hall at the World's Fair where on Saturday the British King and Queen will be entertained at luncheon by a select gathering. Only the networks will be permitted to run broadcasting lines into the building.

As matters now stand, no radio lines whatsoever will be permitted into Perylon Hall where the Royal visitors are to be received officially by Mayor LaGuardia and Fair Director Grover Whalen. However, the networks may yet win this privilege, as they are exerting strong pressure upon Fair officials to win this point.

No explanation of any kind has been offered to locals for their exclusion. Yesterday afternoon representatives of nine local stations conferred with John S. Young, Fair radio director. Despite a heated session, no action was taken.

WNEW has offered to pay line charges and feed through master control of CBS and NBC so that all other local units can pick up the proceedings. WNEW also undertook to do the broadcast anonymously to void any danger of its call letetrs being picked up bv the other stations. As yet WNEW has not had a reply to its proposal.

The stations turned down the one concession that was offered them—the privilege of setting up equipment on the steps of the buildings.

## *Thomson to N. Y. In Television Fight*

**Hollywood, June 7.—Ken Thomson, executive vice-president of Screen Actors Guild, is New York-bound to attend the television jurisdiction meeting of Associated Actors and Artistes of America.**

**Thomson decided to present personally the S.A.G. stand that jurisdiction should be vested in a joint committee of Actors Equity, American Federation of Radio Artists and S.A.G.**

# *IATSE Trial Hears of Smith 'Warning'*

Los Angeles, June 7.—Minutes of two meetings of the deposed Board of Governors of Technicians Local 37, at which Harold V. Smith, then International I. A. T. S. E. representative, was present, were read today into records of the trial of the local suit for control of the organization.

Guy Cooper, recording secretary of the local, presented reports of meetings at which Smith addressed officers and urged them to name the International as the local's bargaining agency with producers.

Officers refused to do this, however, and Smith was said to have told them: "Your local is very strong numerically, but it is weak in economic power. The producers could put you out of the studios tomorrow if they wanted to and if you did not have us."

# U.S. to Stand Pat on Trust Prosecutions

## *Murphy Denies Change in N. Y. Suit Plans*

Washington, June 7.—Conferences of Department of Commerce officials with representatives of the film industry will have no effect on Department of Justice plans for prosecution of the New York anti-trust suit, Attorney General Frank Murphy said today.

However, he added, "We will view with great respect and consideration any recommendations that Secretary Hopkins may make and know he will only try to be helpful."

### "Must Enforce the Law"

Mr. Murphy suggested that it is possible that the Commerce Department conferences will reach some trade practice agreement that may simplify settlement of the litigation now in progress in New York and elsewhere.

"As with all industries engaged in practices in violation of the anti-trust laws, we have to take immediate action to enforce the law," he explained. "Whatever we do, we hope it will have an effect good for the public. We hope it will be good for the industry, too, because we want it to flourish."

### Consent Decree Looms

The Attorney General admitted the implication that the Commerce Department was acting, possibly, as an intermediary and negotiator for a consent decree in the film case, and that the conferences had been suggested by the Justice department.

He made it plain, however, that while it might be possible to settle civil cases by consent decree, no such action could be taken with respect to criminal prosecutions.

Film executives are scheduled to meet again in Washington next week.

# *World Fair Strike Parley Set Tonight*

A strike call at the New York World's Fair is expected to result, unless an agreement can be reached between the Fair authorities and the New York Theatrical Trades Council at a final meeting scheduled for tonight.

Union officials yesterday held out little hope of an agreement being reached. If the strike is called, it is expected to become effective, following the visit to Fair of King George VI and Queen Elizabeth of England.

# Drama Guild's O.K. Forecast On Agreement

Approval of modifications to the minimum basic agreement of the Dramatists' Guild will be given by the guild council within the next few weeks, it is indicated. The council has been studying a draft agreement prepared by Sidney R. Fleisher, guild attorney, after conferences with J. Robert Rubin, Loew vice-president, and Jake Wilk, Warner story editor.

The modifications, which would permit the purchase of film rights to a play before production, were approved in principle two months ago but many of the details were disputed. When Fleisher returned from his recent illness he was able to satisfy the guild on many of the technicalities involved.

Whether the modifications can be settled in time for the beginning of the new season next fall is uncertain. The council will meet next week and its approval is expected shortly thereafter. A special meeting of the guild membership then will be held and final approval from the League of New York Theatres also will be required.

## *Loew's Votes Third 50c Extra Dividend*

Directors of Loew's, Inc., yesterday declared an extra dividend of 50 cents and a regular 50-cent dividend on the common stock, payable June 30 to stockholders of record June 20.

This makes the third extra 50-cent dividend for the fiscal year. Similar

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# *Purely Personal*

HARRY GOLD, EMANUEL SILVERSTONE, MORRIS HELPERN, RUBE JACKTER, LOUIS WEINBERG, MONROE GREENTHAL, WILLIAM BRANDT, SAM SHAIN, AL MARGOLIES, MORRIS KINZLER, HARRY KOZINER, MAC LITTMAN, CHARLES PERRY, A-MIKE VOGEL lunching at Lindy's yesterday.

•

M. RAMIREZ TORRES of Medal Film Exchange, RKO distributor in San Juan, Porto Rico, was a visitor at the RKO World's Fair lounge yesterday.

•

JOHN BARCLAY, who played in the screen version of "The Mikado," will appear in "Devil's Disciple," Shaw comedy, at the Starlight Theatre, Pawling, N. Y., next week.

•

P. L. PALMERTON, Western Electric head in England, and JOHN RILEY, chief engineer there, arrive tomorrow on the *New Amsterdam* for home office conferences.

•

GREGORY DICKSON, who resigned last week as SAMUEL GOLDWYN'S publicity director on the coast, arrived in town yesterday.

•

ALEXANDER KORDA has signed JOHN JUSTIN, newcomer, to a seven-year contract, and given him an important role in "Thief of Bagdad."

•

MAXIE ROSENBLOOM will be featured in a series of Warner shorts, to be supervised by GORDON HOLLINGSHEAD.

•

IRA GENET, Warner writer and director, will work this summer on the series of "Color Parades" which will be made in the east.

•

EDWARD EVERETT HORTON will play summer stock in Maine.

•

HARRY G. KOSCH, New York Allied counsel, is under the weather.

J. ROBERT RUBIN, vice-president of Loew's; WILLIAM S. PALEY, president of CBS, and LENOX LOHR, president of NBC, will be among the industry leaders serving as sponsors of the 1939 Williamstown Institute of Human Relations, Aug. 27 to Sept. 1.

•

AL PICKUS, operator of the Stratford, Stratford, Conn., was awarded a silver cup as one of the winners in the Mill River Country Club golf tourney.

•

LEO JUSTIN, HARRY THOMAS lunching at Bob Goldstein's Tavern yesterday. ARCHIE MAYO, MITCHELL ROSSAN sipping cocktails in the afternoon.

•

CHARLES STERN, United Artists district manager, left yesterday for a brief visit to Baltimore and Washington. He will return tomorrow.

•

JAMES R. GRAINGER, Republic president, is due tomorrow from Boston where he is conferring on new season circuit deals.

•

JACK BENNY will be Delegate No. 1 to the American Legion's 21st annual national convention to be held in Chicago Sept. 25-28.

•

DON HIGGINS, who formerly handled "March of Time" radio publicity, is now doing the same work for the reel.

•

JOSEPH M. SCHENCK, 20th Century-Fox board chairman, is here for two weeks. He arrived early this week.

•

WILL H. HAYS is expected from Washington today.

## *60 Pictures Billed By Judell Company*

HOLLYWOOD, June 7.—Producers Distributing Corporation today was chosen as title of the new company formed by Ben Judell.

With Judell as president, Clare Judell as vice-president, and H. Judell as secretary, the company will produce 24 westerns in addition to the 36 melodramas already announced. Production of the first film will start July 6.

Eleven more exchanges will be added to the 16 already organized to give the company complete national distribution.

## *George Fawcett Dies*

NANTUCKET, MASS., June 7.—George D. Fawcett, 77, stage and screen actor, died yesterday of a heart ailment. He started his stage career in 1886 and was a veteran of the screen.

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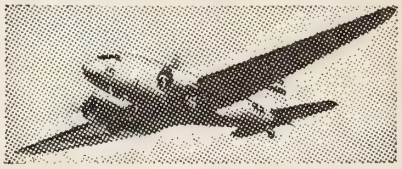

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**KANSAS CITY**—New Daily afternoon service—Leave at 1:00 p.m.—arrive in Kansas City at 8:15 p. m. . . . . . . $66.45

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# Brokers Ask For Revised Tickets Cod

Accredited ticket brokers recogni under the ticket code are formulat demands to be presented to the Lea of New York Theatres when nego tions for next season's code agreem start in July.

The brokers, who have been w an unsuccessful fight for abolition the code, claim that brokers who fused to sign last year have succee in obtaining better choice of seats.

Meanwhile, the League and Act Equity are studying methods for m stringent enforcement. Equity may fuse to sign the code unless it can proved that the code is stimulat theatre attendance.

Brokers point out that they h been hampered by the fact that n accredited agencies have been able continue in business although the c forbids the allotment of tickets them. In addition, they say, the pu has not benefited.

## *'U' Sales Executives Go on Circuit To*

Universal's three leading sales ecutives, William A. Scully, gene sales manager; F. J. A. McCart eastern sales manager, and Willi Heineman, western sales manager, yesterday for a series of conferen on circuit deals for the new seaso product.

Scully and McCarthy left for Me phis and Heineman for Louisvi From Memphis, McCarthy will alone to New Orleans and Nashvi while Scully will join Heineman Louisville and acompany him to I troit. The three are expected to turn in 10 days.

## *Illinois Exhibitor Meeting Postpone*

SPRINGFIELD, ILL., June 7.—Meeti of United Theatre Owners of Illino scheduled here today, was unexpe edly postponed. The unit was form recently in Chicago to fight adver legislation. Its membership consis of downstate Illinois exhibitors. Fr Zorn of Pontiac is president.

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DAILY
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**JACK L. WARNER** *In Charge of Production* • **HAL B. WALLIS** *Executive Producer* • **HENRY W. BLANKE** *Associate Producer*

# Frisco Gives 'Juarez' Good $17,000 Lead

SAN FRANCISCO, June 7.—"Juarez" drew $17,000 at the Fox to lead grosses. "Fixer Dugan" did well with $15,200 at the Golden Gate.

Estimated takings for the week ending May 30-June 2:

**"Fixer Dugan" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $15,200. (Average, $15,000)

**"It's a Wonderful World" (M-G-M)**
**"On Trial" (W.B.)**
PARAMOUNT — (2,740) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $8,700. (Average, $11,500)

**"Juarez" (W. B.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 days. Gross: $17,000. (Average, $16,000)

**"Rose of Washington Square" (20th-Fox)**
**"Mr. Moto of Danger Island" (20th-Fox)**
ST. FRANCIS — (1,400) (15c-35c-40c-55c-75c) 7 days, 3rd week (moved over from Fox). Gross: $6,000. (Average, $6,000)

**"Prison Without Bars" (U. A.)**
UNITED ARTISTS—(1,200) (15c-35c-40c-55c-65c) 7 days. Gross: $7,500. (Average, $8,000)

**"Confessions of a Nazi Spy" (W. B.)**
**"Some Like It Hot" (Para.)**
WARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $13,500. (Average, $12,000)

**"Only Angels Have Wings" (Col.)**
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)

**"The Lady Vanishes" (G. B.)**
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,100. (Average, $1,000)

**"Concentration Camp" (Amkino)**
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $800. (Average, $1,000)

## *'Juarez' Cleveland Smash with $16,500*

CLEVELAND, June 7.—"Juarez" was the hit of the week with $16,500 at Warners Hippodrome. "Man of Conquest" at the RKO Palace with Gene Krupa and his orchestra leading a vaudeville bill, drew $15,000. The weather was fine.

Estimated takings for the week ending June 2:

**"Rose of Washington Square" (20th-Fox)**
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

**"Juarez" (W. B.)**
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $16,500. (Average, $11,000)

**"Man of Conquest" (Rep.)**
RKO PALACE — (3,100) (30c-42c-55c) 7 days. Stage: Gene Krupa and orchestra, Eddie Rio and Bros., Hudson Wonders, Tommy Trent. Gross: $15,000. (Average, $15,000)

**"Lucky Night" (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $7,500. (Average, $11,000)

**"The Hardys Ride High" (M-G-M)**
LOEW'S STILLMAN — (1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

## *Closing of Theatre Ordered by Ontario*

TORONTO, June 7.—Theatre Branch of the Ontario Government has ordered the closing of the Orillia, at Orillia, Ont., on June 30 because it allegedly does not comply with the new regulations of the Cinematographs Act. The theatre is owned by the municipality and the town council recently leased it to L. H. Vicary, at a rental of $4,200 per year, the agreement with Associated Theatres, Ltd., being due to expire at the end of June.

# *Hollywood Notes*

HOLLYWOOD, June 7.—FRANK CRAVEN, of "Our Town," has been signed by Paramount for "Our Neighbors—The Carters," to play opposite FAY BAINTER, and by M-G-M in "Miracles for Sale" . . . In addition to starring in Paramount films made for the Latin market, TITO GUIZAR will appear in three pictures for English speaking consumption this year. Two of them will be "The Thief of Old Monterey" and "Drums Over Havana."

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*Casting*—FRANK McHUGH and BRENDA MARSHALL to "Career Man," Warners . . . VERREE TEASDALE, TIM HOLT and FRANKLIN PANGBORN to "My Fifth Avenue Girl," RKO . . . CHESTER MORRIS and VIRGINIA GREY to "Thunder Afloat," M-G-M . . . WESLEY BARRY to "Stunt Pilot," Malvern-Monogram . . . ERIK RHODES, JAMES GLEASON, FRANK McHUGH and ALAN HALE to "On Your Toes," Warners . . . GLORIA DICKSON to "The Fighting 69th," Warners . . . LYNNE OVERMAN, JANICE LOGAN to "Dog Show Murder," Paramount . . . MAXIE ROSENBLOOM to "The Return of Dr. X," Warners . . . JAMES ELLISON to "My Fifth Avenue Girl," RKO . . . THOMAS MITCHELL to "The Light That Failed," Paramount.

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*Directors*—GEORGE MARSHALL, for the last 13 years at 20th Century-Fox, will direct "The Man from Montana," at Universal. Formerly titled "Destry Rides Again," the film will star JAMES STEWART and be produced by JOE PASTERNAK . . . WILLIAM SEITER leaves 20th Century-Fox to direct RKO's "Pennsylvania Uprising," to star JOHN WAYNE.

## *'Cisco' at $2,300 In New Haven Lull*

NEW HAVEN, June 7.—Grosses slumped again, with a torrid Memorial weekend partly responsible. "Return of the Cisco Kid" and "Missing Daughters" took $2,300 at the College.

Estimated takings for the week ending June 2:

**"Return of the Cisco Kid" (20th-Fox)**
**"Missing Daughters" (Col.)**
COLLEGE — (1,499) (25c-35c) 7 days. Gross: $2,300. (Average, $2,700)

**"Only Angels Have Wings" (Col.)**
**"Boy Slaves" (R-K-O)**
**"Only Angels Have Wings" (Col.)**
**"Society Lawyer" (M-G-M)**
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $7,000. (Average, $8,000)

**"Some Like It Hot" (Para.)**
**"Hotel Imperial" (Para.)**
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $3,600. (Average, $4,000)

**"East Side of Heaven" (Univ.)**
**"You Can't Get Away with Murder" (W. B.)**
ROGER-SHERMAN—(2,200) (35c-50c) 6 days. Gross: $4,100. (Average, $4,700)

## *Elmer Fleming Dies*

CHICAGO, June 7.—Elmer Fleming, 50, personnel director for Warner Brothers in Chicago and Wisconsin, died at his home today of a heart attack. Fleming had been personnel chief for seven years. He is survived by his wife and two children. A son, Jack, is employed in the Chicago Warners office.

## *3 Shows Closing*

**At least three closings of Broadway legitimate productions are set for this week with the possibility that there may be more. "The American Way," "The Boys from Syracuse" and "Family Portrait" will close, although "The American Way" may reopen after five weeks. The three closings will leave 11 theatres lighted, of which only eight are this season's product.**

# 'Only Angels' Draws $7,600 Seattle Gross

SEATTLE, June 7.—"Only Angels Have Wings" drew a strong $7,600 in its third week at the Liberty. "Juarez" drew $7,800 at the Fifth Avenue. The weather was fair and cool.

Estimated takings for the week ending June 2:

**"Lucky Night" (M-G-M)**
**"Secret Service of the Air" (W. B.)**
BLUE MOUSE — (950) (30c-40c-55c) 7 days, 2nd week. Gross: $4,200. (Average, $4,000)

**"Juarez" (W. B.)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $7,800. (Average, $7,000)

**"Only Angels Have Wings" (Col.)**
LIBERTY — (1,800) (20c-30c-40c-55c) 7 days 3rd week. Gross: $7,600. (Average, $5,000)

**"The Mikado" (Univ.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days. Gross: $5,300. (Average, $5,000)

**"The Gorilla" (20th-Fox)**
**"Bulldog Drummond's Secret Police" (Para.)**
ORPHEUM — (2,450) (30c-40c) 7 days. Gross: $5,800. (Average, $6,000)

**"Man of Conquest" (Rep.)**
PALOMAR — (1,500) (15c-25c-30c-40c) 7 days. Vaudeville. Gross: $5,800. (Average, $5,000)

**"Confessions of a Nazi Spy" (W. B.)**
**"The Family Next Door" (Univ.)**
PARAMOUNT—(3,050) (30c-40c) 5 days, 2nd week. Gross: $5,100. (Average, $6,000)

**"Smiling Along" (20th-Fox)**
UPTOWN—(750) (30c-40c) 7 days, 2nd week. Gross: $1,100. (Average, $1,500)

## *Hungary to Form Own Film Industry*

BUDAPEST, June 7.—Plan of the new Hungarian Film Commission to establish a national film industry is expected eventually to affect imports.

However, the time when the Budapest studios will be able to supply sufficient product to Hungarian theatres is remote. Despite some agitation and a link with Germany, American films still lead here.

During April, for instance, of 15 films which received first runs in Budapest theatres, eight were American. Three were French, Hungary and Germany supplied two each.

There has been some production here by German and French companies as a means of absorbing currency which they cannot take out of this country.

## *Two Directors Assigned*

HOLLYWOOD, June 7.—Darryl F. Zanuck has assigned two directors to "Falling Stars," 20th Century-Fox film in color, Irving Cummings and Mal St. Clair.

# 'Angels' Pulls Neat $10,000 In Pittsburg

PITTSBURGH, June 7.—"Only Ange Have Wings" paced the field wit $10,000 at the Harris Alvin. "Luck Night" drew $12,500 at Loew's Pen

Estimated takings for the week en ing June 1:

**"Only Angels Have Wings" (Col.)**
ALVIN — (1,900) (25c-35c-50c) 7 day Gross: $10,000. (Average, $7,000)

**"Rose of Washington Square" (20th-Fox)**
FULTON—(1,700) (25c-40c) 7 days, 2 week. Gross: $5,600. (Average, $5,000)

**"Lucky Night" (M-G-M)**
LOEW'S PENN—(3,600) (25c-35c-50c) days. Gross: $12,500. (Average, $15,000)

**"The Lady's from Kentucky" (Para.)**
STANLEY—(3,600) (25c-40c-60c) 7 day Stage: The Ritz Brothers, Bea Saxo Hollywood Jitterbugs, Marcelle Willian Trio, Buddy Hughes. Gross: $11,000. (Ave age, $17,000)

**"Society Lawyer" (M-G-M)**
**"Never Say Die" (Para.)**
WARNER — (2,000) (25c-40c) 7 day Gross: $4,000. (Average, $4,500)

# 'Kildare' $17,500 In Capital's Hea

WASHINGTON, June 7.—"Calling D Kildare" was strong with $17,500 Loew's Capitol. "East Side of Hea en," in its second week at RK Keith's, drew $6,500. The heat w severe.

Estimated takings for the week en ing June 1:

**"Calling Dr. Kildare" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-65c) days. Stage: Paul Haakon. Gross: $17,5 (Average, $16,500)

**"The Story of Alexander Graham Bell" (20th-Fox)**
LOEW'S COLUMBIA—(1,243) (25c-40c) days, 2nd run. Gross: $2,500. (Averag $4,500)

**"The Hardys Ride High" (M-G-M)**
LOEW'S PALACE—(2,370) (25c-55c) days, 2nd week. Gross: $7,800. (Averag $12,000)

**"East Side of Heaven" (Univ.)**
RKO-KEITH'S—(1,836) (25c-55c) 7 day 2nd week. Gross: $6,500. (Average, $6,00

**"Confessions of a Nazi Spy" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) days. Stage: Hot Weather Revue. Gros $13,500. (Average, $16,000)

**"Union Pacific" (Para.) 4 Days**
**"You Can't Get Away With Murder" (W. B.) 3 Days**
WARNERS' METROPOLITAN — (1,5 (25c-40c) 7 days, 2nd run. Gross: $3,8 (Average, $4,000)

## *Propose Elimination Of Ontario Game Ba*

TORONTO, June 7.—Attorney-Gener Gordon Conant of Ontario has plac a proposal before the Federal Go ernment of Canada for the eliminati of those sections of the Criminal Co which prohibit games of chance, co tests for cash or merchandise priz and lotteries, claiming that such la cannot be enforced and are in oppo tion to public opinion. The aboliti of these regulations would permit t theatres to conduct various pri stunts which are now officially illeg

## *'Ecstasy' in Court*

PHILADELPHIA, June 7.—Judge Ot Heiligman today ordered the Pen sylvania Censor Board to show ne Tuesday why "Ecstasy" was disa proved. Eureka Productions conten the film was rejected by an illegall constituted Censor Board.

# AMERICA HAS TAKEN YOUNG MR. LINCOLN TO ITS HEART!

▼

Pre-release engagements show the picture-going masses are looking beyond the Great Emancipator to the warm-blooded youth who wrestled in the streets of Springfield. LIFE picks YOUNG MR. LINCOLN as the "Movie of the Week." Critics hail it . . . "outstanding experience!" . . . "finest of this or any year!" . . . "everyone should see it!" Audiences everywhere greet it with unprecedented applause! Exhibitors acclaim it entertainment at its greatest! *The nation has again found a hero . . . and it's* YOUNG MR. LINCOLN!

20th
CENTURY
FOX

THE KEYSTONE OF YOUR FUTURE

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS | MONOGRAM |
|---|---|---|---|---|---|---|---|---|---|---|
| May 5 | Outside These Walls<br>*Costello*<br>*Whalen* | Lucky Night (G) (C)<br>*Robert Taylor*<br>*Myrna Loy* | Union Pacific (G) (D)<br>*Stanwyck*<br>*McCrea*<br>*Tamiroff* | Blue Montana Skies (G) (O) | Sorority House (G) (D)<br>*Anne Shirley*<br>*James Ellison* | Chasing Danger (G) (D)<br>*Foster*<br>*Lynn Bari* | | | Confessions of a Nazi Spy (G) (D)<br>*Robinson*<br>*Lederer* | Boys' Reformatory<br>*Frankie Darro*<br>(May 5) |
| May 12 | Blind Alley (G) (D)<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | Tell No Tales<br>*Melvin Douglas*<br>*Louise Platt* | Hotel Imperial<br>*Iso Miranda*<br>*Ray Milland*<br>(G) (D) | Man of Conquest (G) (D)<br>*Richard Dix*<br>Three Texas Steers (O) | Panama Lady (G) (D)<br>*Lucille Ball*<br>*Allan Lane* | Rose of Washington Square<br>*Power*<br>*Fay*<br>*Jolson* | | | Torchy Runs For Mayor (G) (D)<br>*Glenda Farrell*<br>*Barton MacLane* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter*<br>(May 19) |
| May 19 | | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Some Like It Hot (G) (C)<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Southward Ho<br>*Roy Rogers* | | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | Ex Champ<br>*McLaglen*<br>*Tom Brown*<br>(G) (D) | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* | Across the Plains<br>*Jack Randall*<br>(June 2) |
| May 26 | Missing Daughters<br>Only Angels Have Wings | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly*<br>(G) (C) | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | The Zero Hour<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | Racketeers of the Range (O)<br>*O'Brien* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Code of the Secret Service<br>*Reagan*<br>*Towne* | Should a Girl Marry?<br>*Anne Nagel*<br>*Warren Hull*<br>(June 9) |
| June 2 | Lost Horizon (reissue)<br>Trapped in the Sky | | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | S.O.S. Tidal Wave<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | The Girl From Mexico<br>*Lupe Velez*<br>*Donald Woods*<br>(G) (C) | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | The Man Who Dared<br>*Grapewin*<br>*Jane Bryan* | Stunt Pilot<br>*John Trent*<br>Roll, Wagon, Roll (O)<br>(June 30) |
| June 9 | | 6000 Enemies<br>*Walter Pidgeon*<br>*Rita Johnson* | Undercover Doctor<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | Mountain Rhythm (O)<br>*Gene Autry* | Saint in London<br>*George Sanders*<br>*Sally Gray* | Young Mr. Lincoln<br>*Fonda*<br>*Alice Brady*<br>*Marjorie Weaver* | | The Sun Never Sets<br>*Rathbone*<br>*Fairbanks, Jr.* | Juarez<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>(G) (D) | |
| June 16 | Awful Truth (reissue)<br>Western Caravans (O) | Tarzan Finds a Son<br>*Weissmuller*<br>*O'Sullivan* | Invitation to Happiness<br>*Dunne*<br>*MacMurray*<br>(G) (D) | In Old Caliente<br>*Roy Rogers*<br>*Mary Hart* | The Girl and the Gambler<br>*Steffi Duna*<br>*Carrillo* | Charlie Chan in Reno<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | Man in the Iron Mask<br>*Hayward*<br>*Joan Bennett* | | Nancy Drew Trouble Shooter<br>*Bonita Granville*<br>*Frank Thomas, Jr.*<br>(G) (D) | G. N.<br>Six-Gun Rhythm (O)<br>*Tex Fletcher*<br>(May 12) |
| June 23 | Clouds Over Europe<br>*Olivier*<br>*Valerie Hobson* | Maisie<br>*Ann Sothern*<br>*Robert Young* | Grand Jury Secrets<br>Heritage of the Desert (O) | | Five Came Back<br>*Chester Morris*<br>*Lucille Ball* | Susannah of the Mounties<br>*Shirley Temple*<br>*Scott* | | | The Kid from Kokomo<br>*O'Brien*<br>*Wayne Morris*<br>(G) (C) | Panama Patrol<br>*Leon Ames*<br>*Ch. Wynters*<br>(May 19) |
| June 30 | Parents on Trial<br>Good Girls Go to Paris | Stronger than Desire<br>*Virginia Bruce*<br>*Walter Pidgeon* | Bulldog Drummond's Bride<br>*John Howard*<br>*Heather Angel* | Mickey the Kid<br>*Bruce Cabot*<br>Wyoming Outlaw (O) | Timber Stampede<br>*Geo. O'Brien* | It Could Happen to You<br>*Gloria Stuart*<br>*Stuart Erwin* | | House of Fear<br>*Wm. Gargan*<br>*Irene Hervey* | | Exile Express<br>*Anna Sten*<br>*Alan Marshal*<br>(May 26) |
| July 7 | | On Borrowed Time<br>*Lionel*<br>*Barrymore*<br>*Hardwicke* | Man About Town<br>*Jack Benny*<br>*Dorothy*<br>*Lamour* | She Married a Cop<br>*Phil Regan*<br>*Jean Parker* | Career<br>*Anne Shirley*<br>*Edward Ellis* | Mr. Moto Takes a Vacation<br>*Peter Lorre*<br>*Schildkraut* | | | Naughty But Nice<br>*Dick Powell*<br>Hell's Kitchen<br>*Dead End Kids* | Singing Cowgirl (O)<br>*Dorothy Page*<br>(June 2) |

# Paramount Officials Presiding Over Sales Convention

**Y. FRANK FREEMAN**
Vice-President, Production

**STANTON GRIFFIS**
Chairman, Executive Committee

**BARNEY BALABAN**
President

**ADOLPH ZUKOR**
Board Chairman

**NEIL F. AGNEW**
Vice-President-Gen. Sales Mgr.

**ROBERT M. GILLHAM**
irector, Advertising, Publicity

**WILLIAM LE BARON**
Managing Director, Production

**J. J. UNGER**
Eastern Sales Manager

**CHARLES REAGAN**
Western Sales Manager

**OSCAR MORGAN**
Southern Sales Manager

**JOHN W. HICKS**
Vice-President, Foreign

**LOU DIAMOND**
Head of Short Subjects Dept.

## 3 More N. Y. Area Summer Closings

Thirteen additional summer closings ve been reported in the Metropoliı area. The Strand, Brooklyn first n, closed last night for the Summer. will be altered extensively before reopening in the Fall.

Brandt Theatres have locked the ifton, Manhattan, and the Plaza, t. Vernon. Consolidated has closed Ascot, Avalon and Mt. Eden, all the Bronx.

The Rivoli (Jayem circuit) will se Wednesday and Thursday of h week, beginning June 21, and the indsor, Manhattan (Benjamin For-), will be open weekends only. calis circuit has closed the Empire, hway. The Cinema, Brooklyn, also s been shut. The Wilson, Brooklyn andforce), will close June 15, the mberland, Brooklyn (Stamatus), e 12, and the Broadmoor, Bloomd, on July 5.

## ntermission Bill Passed in Illinois

SPRINGFIELD, ILL., June 7.—The nois House today passed and sent the Senate a bill prohibiting film ws longer than two hours unless re is an intermission of 15 minutes the beginning of each hour in exs of two hours.

## $30,000,000 Paramount Budget for New Season

(Continued from page 1)

tions, and William LeBaron, managing director of production, will address the delegates.

Tomorrow's session will be opened with a roll call by G. B. J. Frawley, followed by an address of welcome by Agnew. Short addresses will be made by Zukor, Balaban, Griffis and John W. Hicks, vice-president in charge of foreign distribution. Members of the foreign department and the 100 Per Cent Club of J. J. Unger, eastern division sales manager, will be introduced.

Screening of outstanding films of the 1939-'40 schedule already completed, will be held tomorrow evening.

Agnew will outline the new season's production schedule at the Friday morning session, followed by a discussion of advertising plans by Robert M. Gillham, director of advertising and publicity, and A. O. Dillenbeck of the Buchanan agency. Don Veldo will speak on ad sales.

The Friday afternoon session will be devoted to newsreels and short subjects, with the discussion to be led by Lou Diamond, head of the short subject department, and Russell Holman.

## 4 RKO Executives Due for Convention

Four RKO foreign distribution executives will arrive Monday for the company's sales convention at the Westchester Country Club, Rye, N. Y., June 19-22. Due on the *Normandie* are Reginald Armour, European general manager; Ralph Hanbury, manager for the United Kingdom, and Leon Britton, Far Eastern manager. Bruno Cheli, manager in Brazil, is due the same day on the *Argentine*.

## Royalty Will Greet Capt. Auten at Fair

Capt. Harold Auten, American representative of Greater Union Theatres of Australia, will be presented to King George and Queen Elizabeth at the reception Saturday at the World's Fair.

Capt. Auten, who will be the only industry representative presented, receives the honor as a holder of the Victoria Cross for distinguished war service while commissioned as a Q-ship commander.

## N. J. Allied to Hold Convention in Fall

New Jersey Allied will hold its seventh annual convention in Atlantic City in September.

In conjunction, there will be the usual eastern regional conference of independent exhibitors, with Allied units in District No. 1 represented. This meeting had been scheduled for the Allied of New York convention here recently, but was postponed.

Allied units in District No. 1 comprise New England (Massachusetts and Connecticut), New York, New Jersey, eastern Pennsylvania, Delaware, Virginia, Maryland and Washington, D. C. Frank C. Lydon of Boston is eastern regional vice-president.

New Jersey Allied will hold its next meeting at Asbury Park June 27.

## Dismisses Two Suits On Unlicensed Films

Federal Judge Knox yesterday dismissed two suits involving unlicensed film exhibitions because of failure to prosecute.

First suit was brought by Paramount against Trio Amusement Co., Inc., and Jack W. Springer for $13,000 for showing Paramount News, 1935 and 1936, and the second by M-G-M against Spuyten Amusement Corp. and Jack Springer for showing "Live Ghosts" in 1935.

# Protest Made On Televising Of Films Here

George Gold, president, Allied Theatre Owners of New Jersey, yesterday sent a letter to George J. Schaefer, RKO president, protesting the televising of "Gunga Din."

Gold said: "It has come to our attention that RKO Radio Pictures, Inc., has been furnishing films for use over television systems. We are greatly surprised that any producer should provide a source of competition to its exhibitor customers.

"We strongly oppose such action by any distributor-producer, and urge that you discontinue this practice.

"Will you please let us know what action you take in this matter."

This is the first protest by any exhibitor organization against the televising of theatrical films.

RKO made a trailer of "Gunga Din" for NBC, running 18½ minutes. It has been televised twice, the first time on April 30, when NBC inaugurated regular broadcasts with the opening of the World's Fair, and again on May 26.

Unofficial estimates place the number of television receivers in the metropolitan area at about 500.

## *Columbia Film Deal With Greater Union*

Columbia has closed a long-term franchise with Greater Union Theatres of Australia. The company heretofore had sold its films to Hoyts, competitive circuit.

The deal, started before the Hoyts-Greater Union negotiations to merge 160 theatres, was worked out here by Cecil F. Mason, Columbia's Australian head, and Norman B. Rydge, Greater Union chief. Mason is en route to Australia.

Hoyts is also working on product deals with Warners and RKO. Any product bought by either circuit will, of course, be available to the merged theatres.

## *Kansas City Area's Closings Increase*

Kansas City, June 7.—Theatre closings for the summer are more numerous this year than last.

During the past week the Fox Tower and the RKO Orpheum, first runs in downtown Kansas City, Mo., closed their doors. At Wichita, the Fox Orpheum shut down. At Arma, Kan., Glen Neeley is closing June 12 for the summer. William Welton's Chapman at Chapman, Kan., is cutting to one change a week, from three. Warren Weber has closed the Deluxe at St. John, Kan., for the summer.

## *New Haven Union Elects*

New Haven, June 7.—Jack Mullen has been elected president of Exchange Employes' Union B-41 for 1939-'40. Other officers are: Jerry Massimeno, vice-president; James Mahan, recording secretary; William Nutile, treasurer; Katherine Fitzgerald, business agent. Robert Hoffman and Henry Brunig were elected to the executive board, and Edward Canelli is sergeant-at-arms.

# BANNER LINES

### By JACK BANNER

**20TH CENTURY-FOX DINNER ON AIR** . . . Mutual will broadcast ceremonies attending the dinner which 20th Century-Fox will tender to President Somoza of Nicaragua June 12, from 5:30 to 6 P. M. The broadcast will emanate from the 20th Century lot.

▼

**THE CIRCLE VACATIONS** . . . The Circle with its galaxy of film stars, joins the ranks of disappearing programs after the July 9 broadcast. The show will be back in the Fall but with the benefit of two shakeups—a new cast and new time. Program got off to a black start when its three mainstays, Ronald Colman, Cary Grant and Carole Lombard, resigned because of dissatisfaction with the material.

▼

**ROYAL TELECAST** . . . The State Department has given its approval so NBC will televise the visit of the British King and Queen to the World's Fair Saturday.

▼

**CHANGE IN ED ROBINSON'S "BIG TOWN"** . . . There has been no announcement, but Claire Trevor, after a number of seasons supporting Edward G. Robinson in his widely successful "Big Town" series, will not reappear in the program when it returns to the air in the Fall. Her successor most likely will also be a screen personality.

Incidentally, Robinson's show leaves the air two weeks in advance of its regular departure date to enable the star to work in a picture. The final broadcast will be July 4. Lever Bros., sponsors of "Big Town," also sponsor the Dick Powell program, which follows "Big Town" on the air. To fill in the two half-hour gaps occasioned by the premature leavetaking of the Robinson show, the client is planning to enlarge Powell's program into full hour length proportions for two weeks. Powell is none too happy about the setup, as he fears the full hour shows.

▼

**MARY MARGARET McBRIDE REPLACEMENT** . . . General Foods is regretfully replacing Mary Margaret McBride on CBS with a script show, "Joyce Jordan, Girl Interne." The new show starts July 3. It will be heard five days a week, but only on three days will it be sponsored. The remaining two broadcasts each week are to be given on sustaining basis. Miss McBride has done wonders for General Foods on CBS, but the sponsor desires a change of time in the Fall for this series. Miss McBride cannot accept the new time, because she has a host of commercials on WOR, where she broadcasts as "Martha Deane." She is unwilling to give up her WOR accounts unless General Foods adds that revenue to her CBS salary, and this the client is unwilling to do.

▼

**PERSONALS** . . . David Lowe, WNEW movie commentator, and Waite Hoyt, the ex-baseball pitcher and now radio sports commentator, have written a story, "Love at First . . ." which Universal is now considering purchasing. . . . Kate Smith left for Washington yesterday to appear in the White House musicale tonight. Bill Thomas of the Young & Rubicam agency, departs for the capital this morning. . . . Kay Winn, of the radio department of Batten, Barton, Durstine & Osborn, off on a cruise with her husband, John Harper of CBS. . . . Dick Mooney of the Earle Ferris office back from a trip with Andre Kostelanetz.

▼

**HELLZAPOPPIN AND CBS** . . . Lou Ruppel stopped in to see "Hellzapoppin" a short time ago, observed that the microphones used in the radio bits of that crazy opus bore no call letters and made Olsen & Johnson an offer to provide shiny new mikes for the skits—CBS ones, of course. The offer has been accepted and so from now on the considerable "Hellzapoppin" audiences will get a nightly gaze at the CBS ads.

## *Air-Theatres Tieup*

San Francisco, June 7.—Closer tieup between radio and theatres in this area is indicated by a summer tour mapped for Bennie Walker of KGO. Walker, accompanied by five of his performers, will make regular appearances at theatres in Berkeley, Fairfax, San Jose and San Rafael.

## *Sheffield on WEAF*

A new series for Sheffield Farms Co., talent not yet selected, will start over WEAF June 19, three times weekly, for 13 weeks. N. W. Ayer & Son placed the contract.

## *Fio Rito Signed*

American Beverage Corp. yesterday signed Benay Venuta and Ted Fio Rito's orchestra for a new WOR program starting Monday.

## *Bank's Radio Campaign*

San Francisco, June 7.—Bank of America, with branches throughout the state, has launched a 13-week radio campaign on 25 California stations, using transcribed and live announcements, and quarter-hour programs.

## *McCauley to KSRO*

San Francisco, June 7.—Howard McCauley has resigned as assistant production chief of RCA's television exhibit at the fair to join KSRO, Santa Rosa, as head of the news department.

## *Loretta Young Broadcast*

Loretta Young on Sunday will make her third visit this season to the Chase and Sanborn hour. She will play opposite Don Ameche in a dramatic skit.

# ITOA Elects Brandt, Asks Revised Cod

Harry Brandt was elected preside of the I. T. O. A. for a sixth term a membership meeting yesterday the Hotel Astor. Other officers were reelected and the regular slate of directors was chosen.

Harry Brandt

Brandt told the meeting that the I. T. O. A.'s acceptance of the trade practice code hinges on the distributors meeting the organization's demands on arbitration.

Brandt said the I. T. O. A. wants revision of th proposed arbitration rules to assu fair representation for independent e hibitors on the panels. He believ that under the proposed setup the di tributors and affiliated circuits ha an advantage.

### Conferring on Changes

Milton C. Weisman, I. T. O. counsel, is conferring with the di tributors' committee on the request changes.

"If they give us what we want, will announce at the Allied nation convention in Minneapolis that th I. T. O. A. accepts the code," sa Brandt.

Arbitration of wage scales and co ditions with operators' Local 306 w start June 16, it was said at the mee ing. David Weinstock and V French Githens will represent th I. T. O. A.

Revisions under the 10-year bas agreement with the union were d last September. The union demand a 40 per cent increase, then reduc its demand to 24 per cent. Negoti tions broke down, and it was agre to submit the matter to arbitratio The local is to appoint two arbitr tors, and there will be a fifth neutr member.

### Fights Ban Upon Signs

The organization drive of the Th atre Managers, Agents and Trea urers Union was discussed. I. T. O. members, when approached, were i structed to refer the union to the o ganization, which acts as the bargai ing agent for members in union ma ters.

The I. T. O. A. decided to fight th move of the City Planning Commis sion to limit all signs, includin marquees and other outdoor adverti ing displays, in business sections a to eliminate them completely in res dential areas.

John Manheimer, executive secr tary, will represent the I. T. O. A. a City Planning Commission hearin on the matter tomorrow.

David Weinstock, chairman of th board and first vice-president, a Mrs. Weinstock were presented chest of silver for their efforts i handling the I. T. O. A.'s annu "movie ball" at the Astor. Weinstoc was chairman of arrangements.

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Intelligent
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Impartial

. 45. NO. 111 NEW YORK, FRIDAY, JUNE 9, 1939 TEN CENTS

## 3alaban Calls For Stronger Sales Policy

### 'alf of $60,000,000 Debt Paid in Three Years

HOLLYWOOD, June 8.—Representing investment estimated at $30,000,000, features and 85 short subjects will released by Paramount Pictures ring 1939-'40, it was announced day at Paramount's national sales nvention.

Although Paramount's lineup of fea-res for the new year is numerically e same as 1938-'39, the production ıdget is $2,500,000 greater. The ort subject total is 17 less than the 2 on the 1938-'39 program.

**Urges New Sales Methods**

Asserting that the economic, legal d legislative problems confronting e industry can be solved only by en-ely new formulae, Barney Balaban, aramount president, advised the les organization to be prepared for e eventual introduction of "an en-ely new method of selling."

"Government suits, anti-trust ac-ns, trade practice concessions, state d federal legislation, contraction of reign markets and uncertainties in mestic market all affect film rev-ues and thus the entire industry," ılaban said.

**Balaban Hails Economies**

"The situation existing today is a w one. We must find the solution new formulae. It is my belief that face an entirely new method of ling—not this year perhaps, but it not too early to plan."

Balaban said the studio has made reat strides" in reorganizing its op-ations and effecting economies as sult of which he believes, it is "pre-red to meet any emergency that may se."

Stanton Griffis, executive committee airman, presented figures to show at half of the $60,000,000 debt with

(Continued on page 3)

## pitz Recovering; To New York Soon

ROCHESTER, Minn., June 8.—Leo itz is fast on his way to recovery om his recent operation and in a w days will be leaving the Kahlor otel where he is recuperating.

Mrs. Spitz has gone on to New ork to prepare for his arrival there. ter leaving here, Spitz will stop er in Chicago for two or three days fore proceeding to New York to in Mrs. Spitz.

### Telecast Boasts High Film Quality

**London, June 8.—Telecast today of the ceremony, "Trooping of the Colors," via large screen, was reported to be highly successful. It was described by observers as the best television reproduction yet seen, and closely approximating regular film quality.**

## Majors Make New Federal Trust Attack

An additional attack on the Federal government's "vagueness" and reliance upon circumstantial evidence in its anti-trust suit against major film companies is included in the memorandum filed yesterday with Judge William Bondy by the majors.

The memorandum furthermore criticizes the government's failure to file an additional bill of particulars, which the majors have been seeking for some time. Failure to file such particulars, majors contend, will delay the trial.

Each company is entitled to know the government's basis for its charges of conspiracy, and a definition of terms and phrases used in the Federal complaint.

### Pneumonia Takes Life of Osterman

ATLANTIC CITY, June 8.—Jack Osterman, "the bad boy of Broadway," died of pneumonia here today. His father was J. J. Rosenthal, general manager for George M. Cohan.

# MINORITY REPORT CALLS NEELY BILL 'BAD' FOR TRADE

### Three Senators Urge Defeat of Measure; Deny Allied's Monopoly Claim

WASHINGTON, June 8.—Declaring that block booking is a business practice of the motion picture industry, interference with which might lead to harmful results, Senator Ellison D. Smith, South Carolina Democrat, chairman of the sub-committee which was in charge of the legislation, today submitted a minority report recommending defeat of the Neely bill.

Writing of a minority report, rarely undertaken with legislation of less than major importance, was seen in Washington as an indication that vigorous opposition may be offered the bill when it is brought up for consideration.

**Urges Hands Off Policy**

During the hearings, Senator Smith several times expressed the view that Congress should not attempt to deal with the mechanics of motion picture distribution and that the industry should settle its controversies within its own ranks.

Doubtful whether enactment of the legislation would lead to the exhibition of only the best pictures, Senator Smith held that, given a choice between a "culture" film and a less desirable one, exhibitors naturally would select the picture which would attract the largest box-office.

**Question "Community Selection"**

The report was signed by Senators Smith, White of New Hampshire and Gurney of South Dakota.

Pointing out that nobody is forced to attend the showing of any particular picture and that in most places there is more than one theatre, the minority questioned "community selection" as a meaningless term and flatly rejected the contention that the exhibitor is the only point of contact between the people and the industry.

"The problem of selectivity for different persons in any given community is met entirely by the achievement of

(Continued on page 7)

### Neely's Bill Before Senate Wednesday

**Washington, June 8.—The Neely Bill is scheduled to come up before the Senate next Wednesday, unless unforseen delays occur. It was originally scheduled to come up in the upper house yesterday, but owing to the visit of the British King and Queen, Congress was adjourned and no sessions were held.**

## Newsreels, Radio Busy with Royalty

All newsreels rushed out special footage last night on the Washington parade and reception for King George and Queen Elizabeth. Executives said this event was given the most comprehensive coverage of any story in years.

The trans-Atlantic Clipper tomorrow morning will transport special reels to England and elsewhere in Europe. London audiences may see the films Monday night.

About 80 newsreel men covered the story in Washington yesterday. The arrangements, as during the entire visit of the royal couple, were surrounded with elaborate precautions. The State Department, Secret Service, Scotland Yard and other authorities all took a hand.

Movietone News is making a special subject of the visit for distribution throughout the world. It will be made in seven languages. Camera units were brought from as far west as Kansas City to augment regular crews.

Extensive preparations have been made to shoot the arrival of the royal couple Saturday in New York, the reception at Columbia University and their visit to the World's Fair. Camera crews will go down the bay in tugs to meet the incoming U. S. destroyer bringing the British monarchs from New Jersey.

**Local Stations Win Fight**

Local radio stations, denied the privilege of broadcasting the reception of the King and Queen of England from the World's Fair, yesterday were informed by Fair authorities that the order has been rescinded.

To avoid the confusion that would result if some 20-odd stations were to run broadcasting lines into Federal Hall, however, only one local station will be permitted entrance. That sta-

(Continued on page 8)

# ◂ Purely Personal ▸

HERMAN ROBBINS, president of National Screen Service, and George Dembow, general sales manager, will leave Monday for Minneapolis to attend the Allied National convention June 13-15.

•

Vincent Trotta Martin Starr, Paul Lazarus, Herb Berg, Eli Sugarman, Kenneth Clark, Lou Lifton, Jim Cron, comprising the Ampa board of governors, attending a luncheon at Bob Goldstein's Tavern yesterday. Archie Mayo, Sam Citron, Joe Malcolm, Sam Shain, Harry Gold, Arthur Kelly, Leo Morrison, Harry Thomas also seen there during the lunch hour.

•

Henry Siegel, operator of the Little Carnegie Playhouse, and Mrs. Siegel left for Washington yesterday to attend the marriage of their son, Arthur, to Kay C. Chaplin of Greensville, S. C., at the Raleigh Hotel today.

•

Ralph Hanbury, managing director for RKO in England, and William Levy, Walt Disney's representative in England, are en route here on the *Normandie,* to attend the company's sales convention. They are due Monday.

•

Mike Moodabe of the Moodabe circuit in New Zealand arrives in Los Angeles Monday on the *Mariposa.* He is due in New York shortly to confer with Walter J. Hutchinson, 20th Century-Fox foreign chief.

•

Ray Bell of Loew's, Washington, and Ted Kirkmeyer, manager of the Marlow, Helena, Mont., return tomorrow on the *Champlain.* The trip was given by M-G-M in an exploitation contest.

•

Robert Smeltzer, central district manager for Warners, was in town yesterday from his Washington headquarters conferring with Roy Haines, eastern and Canadian sales manager.

•

Harry Brandt, I. T. O. A. head, and Lee Shubert, legitimate producer, lunching together in Nick's Hunting Room at the Astor yesterday.

•

Mrs. Patia Power, mother of Tyrone Power, expects to be in New York about June 12 or 13. She will stop at the Waldorf Astoria.

•

Raymond Massey will receive the honorary degree of Doctor of Letters at the commencement of Lafayette College today at Easton, Pa.

•

Broderick Crawford returns today from the coast where he completed a part in Samuel Goldwyn's "The Real Glory."

•

Paul Benjamin, National Screen Service production manager, leaves today for a brief vacation.

•

William Downs, Loew's district manager for N. Y. midtown houses is vacationing.

•

A. G. Herman, Universal eastern division manager, left for Philadelphia yesterday.

# Insider's Outlook

### By SAM SHAIN

INDIVID-UA-LLY! This will be the rallying cry of United Artists in that company's new season selling drive. This unique way of symbolizing what the company stands for in production and distribution seems most fitting.

This slogan was conceived by Murray Silverstone, directing head of the company.

U.A.'s roster of producers will contain 11 noted names, one of the greatest groupings of individual producers ever attempted by a company. It is Silverstone who shepherded most of them into the U.A. fold.

The list includes David Selznick, Charles Chaplin, Samuel Goldwyn, Alexandra Korda, Walter Wanger, Ernst Lubitsch, Douglas Fairbanks, Sr., Edward Small, Sol Lesser, David Loew and Hal Roach.

---

It was a few years ago that Hal Roach made a world tour with Arthur Loew. They crossed the Atlantic and traveled over the Continent and into China, Japan and India. On our recent journey to Hollywood we had occasion to visit with Roach and we talked about that trip he made with Loew. Above all things which he saw on that world tour, we learned, that which impressed him most was the Taj Mahal, that marble mausoleum at Agra, India, erected in the 17th Century.

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One of the most interesting figures in the land of *never-know-when,* which we call Hollywood, is Henry Ginsberg. He is the business head of Selznick-International. He is David Selznick's right arm. But more than this, he is one of the most sought after advisers in the business. Producers and company chieftains, big and small, come to him for counsel.

---

At the Selznick-International studio, we saw them shooting "Gone With the Wind." Those proud murmurs we heard from the studio folks indicate that Selznick is creating a picture which is big in the truest sense of that word.

---

On the Warner lot, one day, at lunch, we were in the company of more big business leaders than in many a month back here. Present were the vice-president of the Santa Fe Railroad, the head of General Foods, besides the president of the McCall magazine publishing company. They were the guests of Jack Warner and S. Charles Einfeld.

---

It is humbly suggested to Alexander Korda that there is a way to top the junket fad of the film companies for transporting newspapermen to distant cities for premieres. This would be by taking the scriveners to a premiere of "Four Feathers," somewhere in Africa.

John Cromwell has been signed to direct the Abraham Lincoln picture which Max Gordon and Harry Goetz will make for RKO release.

---

The *New York Law Journal* seeks the reason for newspapers being exempt from the Federal law relating to interstate transportation of fight pictures. It is an interesting point.

"While the law referred to was doubtless intended primarily to prohibit the transportation of moving pictures of prize fights," the paper states, "its provisions appear to apply equally to still life protographs."

The statute involved (18 U.S.C.A. sec. 405) bans "any film or other *pictorial representation* of any prize fight or encounter of pugilists under whatever name, which is designed to be used or may be used for purposes of public exhibition."

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In Mansfield, Ohio, they have "Bank Night insurance" For a weekly fee of 12 cents, absentee theatre patrons are insured for the prize they would have won had they been present at the drawing.

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William Brandt says he knows a boat owner who has his rank fashioned in Neon lights on his yachting cap.

---

J. P. McEvoy has written an article about Darryl Zanuck which will be published shortly in the *Saturday Evening Post.*

---

In Missouri, they have photograph contests. Patrons are photographed and some of the pictures are shown later on the screen. Those shown are winners of cash prizes. One prosecutor, in Jefferson City, has declared such contests to be lotteries.

---

The premiere of "Land of Liberty," a pictorial history of the United States prepared by the film industry, will have its premiere at the World's Fair, on Wednesday, June 14, in the theatre in the United States Building.

---

In Buffalo, on Monday the Variety Club will honor Joe Miller at a farewell dinner.

---

Joel McCrae and Barbara Stanwyck will soon be Paramount stars.

## Wobber Off Tonight For Zanuck Talks

Herman Wobber, 20th Century-Fox director of distribution, leaves tonight for San Francisco. He will remain on the coast about three weeks, during which he will confer with Darryl F. Zanuck, production chief.

Roger Ferri, editor of the *Dynamo,* company publication, leaves tomorrow for Los Angeles. M. A. Levy, Minneapolis district manager and Kent drive leader, will leave Wednesday. On June 19 they will meet with Wobber at the studio to make preparations for the drive, which starts Aug. 20.

## Weeks Shifts Monogram's Sales Forc

Changes in the personnel of Monogram exchanges were made y terday by George W. Weeks, v president in charge of sales.

New York: Sidney Kulick ha signed as salesman and Irving Lan has been appointed to the staff. P adelphia: Simon Perlswig, salesn resigned, and Moe Sherman joi the company. Seattle: A. M. H salesman, resigned, and D. D. M transferred to this office from Angeles. New Orleans: M. L. St ens, salesman, has been transferred Charlotte as manager and W. C. ken has been appointed salesman.

Memphis: M. E. Wiman, manag has been transferred to Atlanta salesman and W. G. Carmicheal been transferred from manager of Charlotte exchange to manager of Memphis office. Atlanta: W. J. C lins, salesman, has resigned. Louis: Bert Day has been appoir salesman here.

Detroit: Clive Waxman has joi the local exchange as a salesn Cleveland: Jack Withers is a n salesman and Jack Finberg has signed as salesman. Des Moines F. Peckinpaugh has replaced Wa Lohman as booker. Jess Collins i new salesman.

Kansas City: Lester Durland resigned as manager and has been placed by Douglas Desch. M. Schakelford is a new salesman. C cinnati: W. J. Burns has been pointed a booker. Boston: Rol Murray, salesman, has resigned Jeremiah Callahan has joined the s as salesman. Chicago: S. Bordee resigned and Rube Leventhal is new booker.

## Columbia Employe Frolic Tomorro

The Columbian Club of Colum Pictures will frolic at its annual c ing tomorrow at Pine Brook Coun Club, Nichols, Conn. A golf tour ment, tennis and baseball are sch uled with a steak supper in the e ning. About 250 are expected. F Weissman is president.

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# ARAMOUNT LISTS NEW PRODUCT

Hollywood, June 8.—Following is the official list of product for the 1939-'40 ason announced at Paramount's annual sales convention today:

Beau Geste, action-drama, by producer-director William A. Wellman, from r Percival Christopher Wren's story of the French Legion, with Gary oper, Ray Milland and Robert Preston, supported by Brian Donlevy, Susan yward, J. Carrol Naish, Donald O'Connor, James Stephenson, Broderick awford and Charles Barton.

Jamaica Inn, film version of phne Du Maurier's novel, starring es Laughton in a role carrying e 'Captain Bligh" in 'Mutiny on Bounty" tradition. Directed by fred Hitchcock. The picture feaes Maureen O'Hara, Leslie Banks, nly Williams and Robert Newton.

Geronimo, action story of Apache predations in early Arizona; a sucssor to "The Plainsman" and "Union cific." The film features Preston ster, Ellen Drew, Andy Devine, ne Lockhart, William Henry, Ralph organ, Chief Thundercloud and a t of thousands of Indians, cowboys d soldiers.

The Cat and the Canary, based the stage play by John Willard. rected by Elliott Nugent and starg Bob Hope and Paulette Goddard, pported by John Beal, Douglas ontgomery, Gale Sondergaard, Nydia estman, Elizabeth Patterson and orge Zucco.

What a Life, based on the George bott stage play, now in its second ar. Theodore Reed will direct with ckie Cooper and Betty Field corring and supported by John How-l, Janice Logan, Lionel Stander, ughan Glaser, James Corner and dda Hopper.

Happy Ending, directed by Lewis lestone, and co-starring Pat O'Brien d Olympe Bradna, supported by land Young, Reginald Gardiner and orge Stone.

Disputed Passage, from the novel Lloyd C. Douglas. Directed by ank Borzage, with Dorothy Lamour, n Howard and Akim Tamiroff.

Are Husbands Necessary, co-starg Fred MacMurray and Madeleine rroll and featuring Allen Jones, len Broderick, Osa Massen and rolyn Lee. Edward H. Griffith ected.

Ruler of the Seas, a Frank Lloyd duction telling the story of the umph of steam over sail in the rth Atlantic. Douglas Fairbanks, , Margaret Lockwood and Will ffe are co-starred.

French Without Tears, from Terice Rattigan's Broadway and Lon-n stage play, produced in London der the direction of Anthony Asth, co-director with Leslie Howard "Pygmalion" and co-starring Ray lland and Ellen Drew.

The Double-Dyed Deceiver, proced by Harry Sherman from the Henry story, "The Llano Kid," h Tito Guizar, Emma Dunn, Alan wbray, Gale Sondergaard, Jane yton and Minor Watson. E. H. nturi directed.

Range War, a Harry Sherman opalong Cassidy" film, with Wiln Boyd, directed by Lesley ander.

The New Yorker, taken from the c Hatch book, "Fly by Night," to r Jack Benny.

The Road to Singapore, with Bing osby, Bob Hope and Dorothy nour, set against a South Seas kground.

With this great lineup of pictures eady completed or on the verge of completion," continued Mr. Agnew, "Paramount is ready to go forward with the remainder of the features which will make up the most sensational release schedule in the history of Hollywood. They will include:

## *De Mille Signs 4-Year Contract*

**Hollywood, June 8.—Cecil B. De Mille has signed a new four-year contract as producer with Paramount, it was announced at the sales convention today by Y. Frank Freeman, vice-president in charge of production. His current contract has about a year to go, and commits him to two more pictures. De Mille's first film under the new contract will be one dealing with the Canadian Northwest police.**

The Light that Failed, Rudyard Kipling's story of the gentleman adventurer-artist, played by Ronald Colman, who returns to the Sudan. Produced and directed by William A. Wellman, with Ida Lupino and Thomas Mitchell in support of Colman.

Victor Herbert, starring Allan Jones, and featuring the composer's melodies. Andrew Stone will direct.

White Flame, to be made in color, against the background of the Canadian northwoods and starring Ray Milland, Patricia Morison, and Akim Tamiroff, under the direction of George Archainbaud.

Remember the Night, starring Barbara Stanwyck, in a story of a girl-thief and a district attorney. Directed by Mitchell Leisen, who recently completed "Midnight."

Safari, an adventure-romance set against the background of the African veldt, and co-starring Madeleine Carroll and Joel McCrea, with Edward H. Griffith directing.

Riders of the Panamint, a Harry Sherman "Hopalong Cassidy" film, with William Boyd, directed by Lesley Selander.

Every Day Is Sunday, starring Bing Crosby in the same type of role as in "Sing You Sinners," and directed by Henry Hathaway.

Dr. Cyclops, to be made in color and directed by Ernest Schoedsack, who directed "King Kong," "Chang," "Grass" and "Last Days of Pompei."

Amazing Lady, starring Claudette Colbert, whose most recent film has been "Midnight."

The Royal Canadian Mounted, a story of the Canadian mounted police, which will be produced and directed by Cecil B. DeMille, whose last film was "Union Pacific." The film will be made in color.

Casey Jones, starring Bob Burns as the railroading hero.

South of Samoa, with Dorothy Lamour as a half-caste jungle queen and Robert Preston, supported by Lynne Overman. Edward H. Griffith will direct.

Triumph Over Pain, the story of the discovery of anaesthesia, taken from the book by Rene Fulop-Miller. Henry Hathaway will direct.

Diamonds Are Dangerous, played against the background of the South African diamond mines, co-starring Isa Miranda and George Brent.

London After Dark, the story of a London Music Hall "Busker" and the girl he raised to stardom, with Charles Laughton and Vivien Leigh (star of "Gone With the Wind").

Seventeen, from the Booth Tarkington novel, with Jackie Cooper and Betty Field. Louis King will direct the comedy.

The Farmer's Daughter, by Harry Leon Wilson, starring Martha Raye as a small town girl who comes to Hollywood.

The Texas Rangers Ride Again, telling the story of the Twentieth century Texas rangers.

The Way of All Flesh, starring Akim Tamiroff and directed by Kurt Neumann. William Henry will head the supporting cast.

Our Neighbors—The Carters, the story of a small town American family, with Fay Bainter, 1939 Academy Award winner, and Frank Craven, star of the 1939 Pulitzer Prize play, "Our Town." Ralph Murphy will direct.

Gulliver's Travels, full length, cartoon comedy-romance made in color by Max Fleisher from Dean Swift's story of Gulliver's visit to the Lilliputians, and with music by Ralph Rainger and Leo Robins.

The World on Parade, a story of television, adventure and romance.

Emergency Squad, about the rescue heroes of the cities, starring Lloyd Nolan.

Portrait of a Mother, a story of mother love, with a background of the burlesque stage. Henry Hathaway will direct.

The Ne'er Do Well, from the Rex Beach novel, to be brought to the screen as a "special" by Harry Sherman.

I Want a Divorce, from the radio program of the same name.

$1,000 a Touchdown, a comedy about professional football, co-starring Joe E. Brown and Martha Raye.

Paroles for Sale, successor to J. Edgar Hoover's "Persons in Hiding" and "Undercover Doctor," telling the story of the parole racket.

Other titles which will round out Paramount's 1939-40 schedule include "Honorable Uncle Lancy," "The Woman from Hell," "Campus Wives," "Broken Heart Cafe," "The Warden Goes to Jail," "Hot Ice," "Opened by Mistake," "Strange Money," "Light of the Western Stars," and "Knights of the Range."

In the short subject field Paramount's lineup will include 12 Popeye cartoons, 12 Stone Age cartoons, six Color Classics, 10 Paramount Headliners, 13 Grantland Rice Sportlights, six Popular Science shorts, six Unusual Occupations Features, 10 Paramount Paragraphics, seven Paramount Color Cruises and three Symphonic shorts, as well as 104 issues of the Paramount News.

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# Balaban Calls For Stronger Sales Policy

(*Continued from page* 1)

which the company was saddled on its emergence from reorganization had been retired during the past three years.

He forecast retirement of the last $2,000,000 of the company's six per cent debentures still outstanding of an original issue of $26,000,000 and reported that $10,000,000 of preferred stock had been converted into common.

He discussed television briefly, saying that it will be an adjunct of films and not a competitor.

Adolph Zukor, board chairman, warned domestic sales organization it must be prepared to accept some of burden of recouping revenue lost in closed or curtailed foreign markets.

John W. Hicks, foreign head, said all problems of international markets would be solved or lessened by good product.

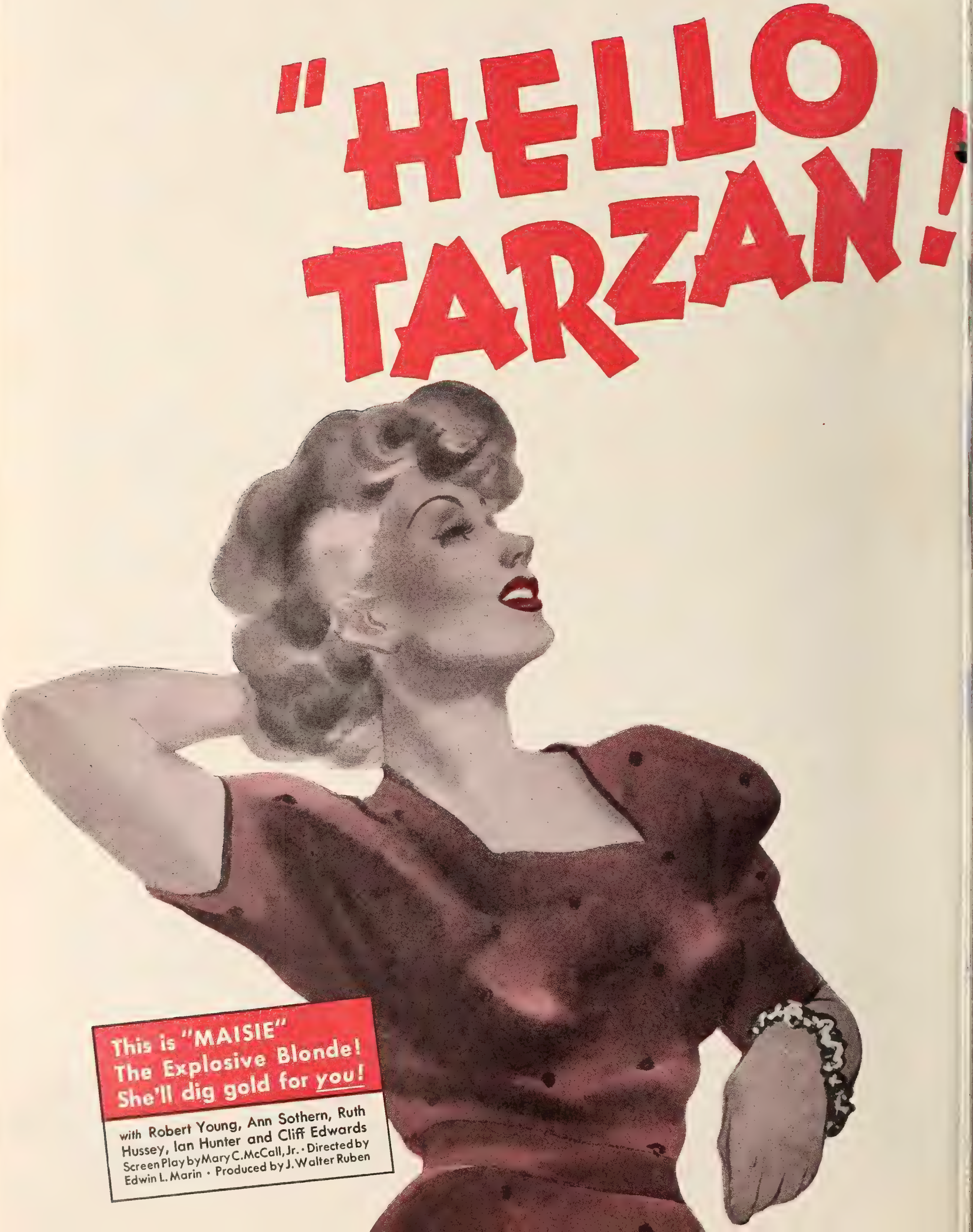
George Weltner, Hicks' assistant; C. R. Dickinson, British sales manager; Tony Reddin, British publicity director; Henry Klarsfeld, general manager for France; A. L. Pratchett, Latin America; F. C. Henry, Philippines, also spoke.

Some of the stars who will appear in Paramount product next season include:

Rochester (Eddie Anderson), Fay Bainter, George Bancroft, John Beal, Jack Benny, Mary Boland, Bill Boyd, Olympe Bradna, George Brent, Joe E. Brown, Bob Burns, Madeleine Carroll, Claudette Colbert, Ronald Colman, Gary Cooper, Jackie Cooper, Frank Craven, Bing Crosby, Andy Devine, Melvyn Douglas, Leif Erikson, Douglas Fairbanks, Jr., Preston Foster, William Frawley, Will Fyffe, Paulette Goddard, Tito Guizar, Bob Hope, John Howard, Allan Jones, Dorothy Lamour, Charles Laughton, Margaret Lockwood, Ida Lupino, Fred MacMurray, Joel McCrea, Ray Milland, Isa Miranda, Douglas Montgomery, Thomas Mitchell, Victor Moore, J. Carrol Naish, Lloyd Nolan, Pat O'Brien, Donald O'Connor, Lynne Overman, Elizabeth Patterson, Anthony Quinn, Martha Raye Shirley Ross, Charlie Ruggles, Barbara Stanwyck, Akim Tamiroff and Roland Young.

In addition, there are 17 in Paramount's socalled "Golden Circle," young players who are being groomed for stardom. They include: Joseph Allen, Jr., Muriel Angelus, Judith Barret, Louise Campbell, Tom Coley, Ellen Drew, Betty Field, Virginia Dale, Susan Hayward, William Henry, William Holden, Evelyn Keyes, Janice Logan, Joyce Matthews, Betty Moran, Patricia Morison and Robert Preston.

The directors for the new product include: George Archainbaud, Anthony Asquith, Frank Borzage, Cecil B. DeMille, Eddie Dmytryk, George Fitzmaurice, Robert Florey, Edward H. Griffith, Henry Hathaway, Alfred Hitchcock, James Hogan, Louis King, Mitchell Leisen, Frank Lloyd, Lewis Milestone, Ralph Murphy, Kurt Neumann, Elliott Nugent, Theodore Reed, Alfred Santell, Ernest Schoedsack, Lesley Selander, Paul Sloane, Andrew Stone, William A. Wellman, Tim Whelan and E. H. Venturini.


"HELLO TARZAN!"

**This is "MAISIE"**
**The Explosive Blonde!**
**She'll dig gold for *you!***

*with* Robert Young, Ann Sothern, Ruth Hussey, Ian Hunter and Cliff Edwards · Screen Play by Mary C. McCall, Jr. · Directed by Edwin L. Marin · Produced by J. Walter Ruben

"HELLO MAISIE!"

**Here's "TARZAN FINDS A SON"**

**It's the best Tarzan hit yet!**

with Johnny Weissmuller, Maureen O'Sullivan, John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day
Screen Play by Cyril Hume • Based upon the Characters Created by Edgar Rice Burroughs • Directed by Richard Thorpe • Produced by Sam Zimbalist

# "HELLO MR. EXHIBITOR!"

## Here are Two Big M-G-M Shows for Showmen!

Just when the thermometer goes up and your business goes down, along comes The Friendly Company with two grand box-office attractions. Screen them fast! They'll inspire you to roll up your sleeves and yell "Hello Tarzan! Hello Maisie! Welcome to the box-offices of America!"

## Los Angeles Gives $27,500 To 'Conquest'

Los Angeles, June 8.—"Man of Conquest" and "On Trial" grossed $27,500 in two theatres, $13,500 at the Warner Hollywood and $14,000 at the Warner Downtown.

Estimated takings for the week ending June 7:

**"Goodbye, Mr. Chips" (M-G-M)**
4 STAR—(900) (40c-50c) 7 days, 3rd week. Gross: $8,500. (Average, $3,250)

**"Only Angels Have Wings" (Col.)**
**"They Made Her a Spy" (RKO)**
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $8,500. (Average, $6,500)

**"Lucky Night" (M-G-M)**
**"Tell No Tales" (M-G-M)**
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $12,300. (Average, $14,000)

**"Only Angels Have Wings" (Col.)**
**"Sorority House" (RKO)**
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $8,900. (Average, $7,000)

**"Gracie Allen Murder Case" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. Ice Revue. Gross: $12,500. (Average, $18,000)

**"Man of Conquest" (Republic)**
**"On Trial" (W. B.)**
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $13,500. (Average, $14,000)

**"Man of Conquest" (Republic)**
**"On Trial" (W. B.)**
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $14,000. (Average, $12,000)

**"Lucky Night" (M-G-M)**
**"Tell No Tales" (M-G-M)**
WILSHIRE—(2,300) (30c-$1.00) 7 days. Gross: $9,600.

## *Providence Dull; 'Angels,' $10,500*

Providence, June 8.—Good weather, the opening of shore resorts and the rodeo in the Rhode Island Auditorium hit grosses. Best business was done by "Only Angels Have Wings," dualled with "Boy Slaves" at Loew's State for a gross of $10,500.

Estimated takings for the week ending May 31-June 1:

**"Only Angels Have Wings"**
**"Boy Slaves"**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,500. (Average, $11,000)

**"Confessions of a Nazi Spy" (W. B.)**
**"The Long Shot" (G. N.)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $7,000)

**"Man of Conquest" (Rep.)**
**"Missing Daughters" (Col.)**
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $5,800. (Average, $6,000)

**"The Old Dark House" (Univ.)**
**"My Man Godfrey" (Univ.)**
RKO-ALBEE — (2,239) (25c-35c-50c) Revivals. 5 days. Gross: $2,000. (7 day average, $6,000)

**"The Boy Friend" (20th-Fox)**
FAY'S — (1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $5,000. (Average, $6,500)

**"It's a Wonderful World" (M-G-M)**
**"Tell No Tales" (M-G-M)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $3,500)

## *Final Text of Trade Code Due in Week*

Final text of the complete trade practice code is expected to be ready early next week. William F. Rodgers, general sales manager of M-G-M and chairman of the distributors' negotiating committee, left last night for Detroit and Chicago.

Rodgers will discuss the code at the open forum of Allied's convention in Minneapolis Wednesday. By that time he will have received a copy of the final text.

Rodgers is accompanied on his trip by Ed Saunders, western division manager.

## *Theatre, Personnel Notes*

### Loew's Shifts Crouch

Indianapolis, June 8.—Orville W. Crouch, assistant manager of Loew's here, has been transferred to the southern division and will spend the summer as a relief manager, beginning at Evansville and then going to Memphis. Joseph P. Holleran succeeds him here.

### Close Conn. House

Windsor Locks, Conn., June 8.—The 600-seat Rialto has closed for renovation. It will reopen some time next month.

### Takes Columbia Post

Kansas City, June 8.—Carl Hoodenpyle, formerly with Warners, is in charge of the poster department at the Columbia exchange here, succeeding Ken Levy, resigned. Harold Hellman, formerly at Detroit for Columbia, has been transferred here as assistant booker, a new post.

### Abraham Joins RKO

Kansas City, June 8.—Leon Abraham, four years head booker at the M-G-M exchange here, has joined the RKO branch as office manager, succeeding John Wangberg, who last week moved up to a post as home office representative in the south. Al Adler succeeds Abraham.

Waldorf, 50th St., Manhattan, has been taken over by the Myron Theatre Co., Inc. (Brandt).

### Seattle Theatre Damaged

Seattle, June 8.—Damage estimated at more than $5,000 was suffered by the Prosser, operated by the Pearl Brothers, in a fire here.

### "U" Changes in Denver

Denver, June 8. — Jack Langan, Universal exchange manager, has made one addition and several promotions. Carl Mock, formerly salesmen with United Artists at Dallas, has been added as salesman; Tom McMahon goes from booker to office manager; Don McCormack from the accessory department to booker, and Joe Aldrich, formerly with G. B., gets the accessory post.

### Columbia Promotes Kramer

Denver, June 8.—Sam Kramer has been promoted from poster clerk at the Columbia exchange to salesman, and is succeeded in the poster department by Don Tweddale, from Warners.

### Theatre Firms Formed

Albany, June 8.—Two new theatre companies chartered here are Ditmars Amusement Co., Inc., by Edward Wagreich, Harry B. Lader and G. Barkin, New York, and Kale Amusement Corp., Rochester, by George Katz, Albert and Harold Lebowitz.

### Buy Wisconsin House

Sheboygan Falls, Wis., June 8.—Nor-Wis Theatre Co., Tomahawk, Wis., has purchased the Falls here, formerly operated by Stan Kohlberg. H. W. Robarge, formerly associated with his father in the operation of the Cosmo, Merrill, Wis., is the new manager of the Falls.

### Altec in Essaness Deal

Altec has contracted to service five additional Essaness theatres in Chicago. R. Hilton negotiated for Altec.

## *Consolidated Strike Called by Lab Union*

Laboratory Technicians Union, Local 702, declared a strike at the Fort Lee laboratories of Consolidated Film Industries at 6 P. M. yesterday. The union claimed a 100 per cent walkout of the 250 men employed at the eastern plant. No official of Consolidated could be reached for comment.

Yesterday's efforts of union officials to negotiate a satisfactory contract following the strike vote Wednesday night were unsuccessful. The union is insisting on a contract identical in terms with that signed by DeLuxe Laboratories.

Consolidated's eastern laboratory is used by RKO, Republic, Universal News and United Artists for domestic release printing, and by M-G-M for foreign prints.

## *Grand National Sees Finance Deal Today*

Announcement of new production financing for Educational-Grand National may be made this afternoon, Earl W. Hammons, operating head, said yesterday. The new financing has been approved by the board of directors and the papers have been drawn. Closing of the deal, together with signing of contracts, is set for this morning. A report on the coast that a $1,000,000 financing deal had been made brought no comment from Hammons.

## *Coast Exhibitors Meet Sears Today*

Los Angeles, June 8.—Plans for selling Warners' 1939-'40 product to independent exhibitors in opposition to National Theatres in the western area will be discussed at a meeting of sales representatives to be held here tomorrow by Gradwell L. Sears, general sales manager.

J. G. Von Herberg, president of the Jensen & Von Herberg circuit, and John Danz of the Sterling circuit are due tomorrow from Seattle to discuss deals with Sears.

Ben Kalmenson, western and southern division manager, arrives tomorrow from New York to participate. W. E. Callaway, coast district manager, will sit in, as will these branch managers: E. A. Bell, Denver; Jack Brower, Los Angeles; V. Stewart, Portland; William F. Gordon, Salt Lake City; William Shartin, Seattle, and A. Shmitken, San Francisco.

## *Receiver for Lopez Enterprises Asked*

Vincent Lopez and Vincent Lopez Enterprises, Inc., which supply orchestras and vocalists for radio and theatrical enterprises, were named defendants yesterday in a stockholders suit filed by Agnes V. Russell who asked appointment of a receiver. Plaintiff, the alleged owner of one-third interest in the company, charges excessive salaries, waste, and the misappropriation of funds.

## Loop Collects Good $12,500 On 'Nazi Spy'

Chicago, June 8.—"Confessions o a Nazi Spy" was the leader with $12,500 at the Roosevelt in a dull weel of partly unsettled weather.

Eleanor Powell and a revue on [illegible] stage of the Palace with "Sororit House" on the screen, drew $23,800.

Estimated takings for the week ending May 31-June 3:

**"Return of the Cisco Kid" (20th-Fox)**
APOLLO — (1,400) (35c-55c-75c) 7 days Gross: $4,600. (Average, $6,500)

**"Rose of Washington Square" (20th-Fox)**
CHICAGO—(4,000) (35c-55c-75c) 7 days Stage: Vaudeville Revue. Gross: $26,500 (Average, $32,000)

**"Eagle and the Hawk" (Para.)**
**"Some Like It Hot" (Para.)**
GARRICK—(900) (35c-40c-65c) 7 days Gross: $4,200. (Average, $6,500)

**"Prison Without Bars" (U. A.)**
**"Big Town Czar" (Univ.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days Stage: Oswald & Revue. Gross: $12,000 (Average, $13,000)

**"Sorority House" (RKO)**
PALACE — (2,500) (35c-55c-75c) 7 days Stage: Eleanor Powell and Revue. Gross $23,800. (Average, $19,000)

**"Confessions of a Nazi Spy" (W. B.)**
ROOSEVELT — (1,300) (35c-55c-75c) days. Gross: $12,500. (Average, $11,000)

**"Mr. Moto On Danger Island" (20th-Fox)**
STATE-LAKE — (2,700) (25c-35c-40c) days. Stage: Music Hall Parade. Gross $10,600. (Average, $12,000)

**"It's a Wonderful World" (M-G-M)**
UNITED ARTISTS—(1,700) (35c-55c-75c 7 days. Gross: $10,300. (Average, $15,000

## *'Hardys' Garners $7,800 in Montrea*

Montreal, June 8.—"The Hardy Ride High" and "Within the Law' accounted for $7,800 at the Capitol Other grosses were off.

Estimated takings for the week ending June 2:

**"The Hardys Ride High" (M-G-M)**
**"Within the Law" (M-G-M)**
CAPITOL—(2,547) (25c-40c-55c-65c) Gross: $7,800. (Average, $8,000)

**"Union Pacific" (Para.)**
LOEW'S — (2,800) (30c-40c-60c) Gross: $4,600. 2nd week. (Average, $7,000)

**"Captain Fury" (U. A.)**
**"Strange Boarders" (British)**
ORPHEUM — (919) (25c-35c-50c) Gross: $4,500. (Average, $5,000)

**"The Story of Alexander Graham Bell" (20th-Fox)**
PALACE—(2,600) (25c-40c-55c-65c) Gross: $6,200. (Average, $10,000)

**"Man of Conquest" (Rep.)**
**"Going Places" (F. N.)**
PRINCESS — (2,272) (25c-35c-50c-65c) Gross: $3,300. (Average, $6,500)

## *'Express' $9,700 Indianapolis Lead*

Indianapolis, June 8.—"Exile Express," with the Clyde McCoy band on the stage, was the only bill to better average, with $9,700 at the Lyric.

Estimated takings for the week ending June 2:

**"Rose of Washington Square" (20th-Fox)**
**"Sorority House" (RKO)**
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)

**"Confessions of a Nazi Spy" (W. B.)**
**"Jones Family in Hollywood" (20th-Fox)**
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $5,500. (Average, $5,500)

**"Only Angels Have Wings" (Col.)**
**"Within the Law" (M-G-M)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6,700. (Average, $7,000)

**"Exile Express" (G. N.)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Clyde McCoy Band Show. Gross: $9,700. (Average, $8,000)

# Neely Bill Bad, Says Minority Senate Report

(Continued from page 1)

n industry which makes available all ver the United States expensively duced motion pictures at a low cost nich permits their display at all laces, and gives the public so many ictures to choose from," it was delared.

### Dismiss Allied Contention

Dismissing Allied's contention that lock booking was leading to a monopoly, the report pointed out that since he legislation was first introduced our new companies, Republic, Monoram, Grand National and Gaumont British, have established national wholesale distribution systems.

The report also declared the indeendents' charge that affiliated houses ave broad rejection privileges which re denied to them, citing a situation involving the Atlas Theatre, Washington, was not true and that, in the ase of the Atlas, the facts were exctly the reverse of the charges made nd that the producer-owned houses were required and actually did play r pay for the pictures mentioned but hat Atlas had the right to reject the ame films without paying for them.

### Voided by Court

The minority found that the block ooking prohibition of the bill is substantially identical with the provisions of the Federal Trade Commission rder of 1927 in the Paramount Famous Lasky case, and pointed out that that order was set aside by the courts.

"It is singular that although 12 ears have elapsed since the language mbodied in Section Three was first romulgated by the Federal Trade Commission, despite the attack theren ever since, no measure has been rafted except in terms identical with hat voided by the court," it was commented.

"It needs to be appreciated, as the court which reversed the order stated, hat its provisions operate in a field f 'ordinary incidents of bargaining and negotiating between seller and buyer out of which a contract may r may not result.'"

### Lead to Price Problem

The report also attacked the secon as leading to diffiicult pricing roblems. "Legislation which would venture into the perilous regions of rice regulation in a field where price etermination is subject to so many aried factors which differ in each neotiation, ought to be at the least suffiently certain and definite so that hose who are directed to give obedince to the legislative mandate under ain of criminal sanctions may be aprised of the standards of conduct to hich they must give obedience."

The lack of standards in the bill, was declared, "is without precedent—although it may be compared with auses in contracts pursuant to the andate of the German Reich film hamber which requires contracts to rovide that such contracts 'shall be nterpreted in the sense of National ocialism.'"

## Out Hollywood Way

Hollywood, June 8.—Warners is planning to make a picture, "Tombstone," with the same principals who appeared in "Dodge City." Michael Curtiz will direct the cast headed by Errol Flynn, Olivia de Havilland and Ann Sheridan. Mark Hellinger will be associate producer. . . . "Passport to Life," story of a gangster who fled America to escape indictment but later returns to his punishment and regeneration, will be produced by Pandro S. Berman for RKO. It is from an idea by Fanya Foss, and Garson Kanin will direct. . . . W. S. Van Dyke will take over direction of "The Return of the Thin Man," to co-star William Powell and Myrna Loy, instead of "It Can't Happen Here," at M-G-M. Leslie Fenton draws the latter picture as his third feature directorial task.

Francis Lyon, for the last four years film editor for Alexander Korda, has returned to Hollywood and has been signed to edit Selznick International's "Intermezzo." . . . Reeves Eason has been signed by Selznick to direct the battle sequence for "Gone With the Wind."

Maxwell Anderson has arrived in Hollywood to work on Leo McCarey's next production for RKO. . . . Victor McLaglen, Joseph Calleia and Lucille Ball will have the top roles in RKO's "Full Confession," to be produced by Robert Sisk and directed by John Farrow. . . . M-G-M has purchased "Pretty Penny," original by Jack Goodman and Agnes Rumsey, for Lew Ayres and Florence Rice, and "Dancing Co-Ed," original by Niven Busch.

*Casting*—Gloria Dickson to "On Your Toes," Warners. . . . Lynn Bari, Robert Lowery and Alan Curtis to "Falling Stars," 20th Century-Fox. . . . Robert Barrat and Larry Crabbe to "Colorado Sunset," Republic. . . . Marie Wilson to "Should Husbands Work?" Republic. . . . Terry Kilburn has been borrowed from M-G-M for 20th Century-Fox's "The Adventures of Sherlock Holmes."

Astrid Allwyn to "Miracles for sale," M-G-M. . . . Walter Catlett and Edward Brophy to "Kid Nightingale," Warners. . . . Sidney Toler to "Argentina," Sherman-Paramount. . . . Ann Rutherford, Mary Beth Hughes and Marsha Hunt to "These Glamour Girls," M-G-M. . . . Barnett Parker to "Babes in Arms," M-G-M.

*Title Changes* — Warners: "Kid Caruso" to "The Singing Swinger," with Dennis Morgan and Marie Wilson; "Torchy—Dead or Alive," to "Playing with Dynamite," with Jane Wyman and Allen Jenkins; "Not Wanted" to "No Place To Go," with Gloria Dickson, Fred Stone and Dennis Morgan; "Lighthorse Harry" to "The Cowboy Quarterback," with Bert Wheeler and Marie Wilson; "Gantry the Great" to "Steeplechase," and "The Dead End Kids at Valley Forge" to "The Dead End Kids at Military School."

Republic: "Laughing Irish Hearts" to "She Married a Cop."

Paramount: "Lawful Outlaws" to "Range War," and "Dog Show Murder" to "Death of a Champion."

*Contracts*—M-G-M has extended the contracts of Fay Holden, Lew Ayres and Terry Kilburn, players, and of Frederick Stephani, producer of the "book detective" series.

Niccolai Yoshkin, now to be known as Martin Kosleck, Nanette Fabares, Ronald Reagan, players and Vincent Sherman, director, have been given contracts by Warners.

RKO has extended the contract of director John Farrow, and given a new pact to Dorothy Lovett, who made her film debut in "The Flying Irishman."

## Short Subject Reviews

### "March of Time No. 11"

*(RKO)*

"War, Peace and Propaganda" is the subject of the latest Time reel. After defining propaganda as an effort to influence public opinion, the reel portrays the efforts of the "Peace Front" nations to gain sympathy in the United States.

Opening with shots of the foreign section at the World's Fair, the reel offers a quick review of the exhibits. Visit of the King and Queen is described as another effort to gain friends for Great Britain. Then the war preparations on the continent and a glimpse into the Caribbean situation are pictured. The reel ends with a meeting of U.S. Senators who are considering neutrality legislation. The subject is of considerable timeliness and interest. Running time, 19 mins. "G."*

### "Happily Buried"

*(M-G-M)*

"Happily Buried" is a two-reel musical with enough plot structure to draw lots of laughs. It concerns the adventures of a boy and girl who head rival waffle iron factories. A yogi who becomes devoted to the hero and assists him in business and love adds to the merriment. This is a well balance musical and should please. Running time, 20 mins. "G."

## Kuykendall to Go To Allied Meeting

Ed Kuykendall, president of the M.P.T.O.A., yesterday decided to attend the national Allied convention in Minneapolis, starting next Tuesday.

Recently invited by W. A. Steffes, convention chairman, Kuykendall indicated that he might attend. Later, wrote Steffes explaining that because he planned to attend conventions of M.P.T.O.A. units next week, he would be unable to go to Minneapolis.

Kuykendall has been in Washington the last two days.

# Thomson Sees Peace in Fight On Television

Screen Actors Guild is hopeful that an "amicable settlement" of the television jurisdiction dispute may be arrived at with Actors Equity.

Kenneth Thomson, S.A.G. executive secretary, who arrived from the coast Wednesday, immediately went into conference with leaders of the Associated Actors and Artistes of America.

Thomson is particularly interested in three A.A.A.A. problems. Besides television, these are reconstruction of the parent body and all its branches into "one big union" and the current investigation into the affairs of the American Federation of Actors. Thomson is generally credited with being the initiator of the present reconstruction move.

Board meetings will start today. Thomson is relying on the fact that previous jurisdictional disputes have always been disposed of amicably.

Equity leaders, on the other hand, commented unofficially yesterday that they still stood by their original demands for the jurisdiction which was granted to them in 1935. Length of Thomson's stay is indefinite as he may be called back to the coast early next week.

## Monogram Finishes Schedule by Aug. 15

Monogram will complete its production schedule for the second time in its two years of reorganized existence, W. Ray Johnston declared yesterday.

The full quota of 26 features and 16 westerns will be completed by August 15. Three re-issues were released during the season as specials.

Production on four features and three westerns will be started shortly. The features are "Murder in the Big House," "Mr. Wong at Headquarters" and two "Tailspin Tommy" films. The westerns include two in which Jack Randall will star and one with Tex Ritter.

## Newsreel Parade

*Newsreels are post-releasing the arrival of King George and Queen Elizabeth in Washington for inclusion in the weekend issues. The full contents of the reels follow:*

MOVIETONE NEWS, No. 78—Statue of Will Rogers unveiled. Navy bombers in trial flight. Flier to Mars crashes. Umbrella parachute fails. Fashions in jewels. Horse racing. Gymnasts train in Sweden. Louis and Galento in training. Horse show. Lew Lehr.

NEWS OF THE DAY, No. 276—Fire in Times Square. Rogers' statue unveiled. British fleet drills. Galento and Louis prepare for bout.

PARAMOUNT NEWS, No. 89—Entire issue is devoted to the arrival in the United States of the British monarchs.

RKO PATHE NEWS, No. 93—Reconstruction in China. Rogers' statue unveiled. Summer fashions.

UNIVERSAL NEWSREEL, No. 778—Rogers' statue unveiled. Fire in Times Square. Flier to Mars arrested. Bowling. Birthday party for 5,000 children. Christen bears at zoo. Girl with perfect back chosen. Prince of Norway skiing. Fashions. Bombers in test flight.

# Big Newsreel, Air Coverage Of Royal Visit

(*Continued from page 1*)

tion is WNEW. However, WNEW will feed the program to any local stations that desire to pick up its broadcasts. Mutual also will feed pickups to independent stations desiring to accept its offer.

Meanwhile, networks have completed extensive plans for broadcasting the trip of the King and Queen to the Fair tomorrow. The programs are to begin at approximately 10:30 A. M. over all networks, and will continue with practically no interruptions until the King and Queen depart from the Fair and proceed to Hyde Park, where they will be guests of President and Mrs. Roosevelt. This will be at approximately 4 P. M.

Additionally, the Royal visitors also will be seen by television. Televising will begin at approximately 3 P. M. when they will pose for NBC television engineers, newsreels and photographers in front of the Federal building.

On Sunday, a special program will be broadcast over NBC at 3 P. M. from Hollywood, with British-born stars saluting their Majesties. Those who will appear in the program include Gertrude Lawrence, Leslie Howard, Sir Cedric Hardwicke, C. Aubrey Smith, Anna Neagle, Ronald Colman, Madeleine Carroll, Cissie Loftus and Freddie Bartholomew.

## *Pathe Film 3-Month Net Profit Is $9,901*

Pathe Film Corp. and subsidiaries yesterday reported net profit for the three months ending March 31, 1939, of $9,901.75.

DuPont Film Manufacturing Corp., of whose common stock Pathe Film owns 35 per cent, had a net profit, after all charges, of $395,000 for the first three months of 1939 This compares with a net profit of $329,000 for the corresponding period of 1938.

Pathe Film's share amounted to $138,000 in 1939 and $115,000 in the 1938 period. Of these earnings, $103,000 was undistributed in 1939 and $80,000 in 1938. The undistributed sum was not indicated in the report.

The statement notes that the operating assets and liabilities of Pathe Film were taken over by Pathe Laboratories, Inc., on Feb. 27, 1939.

## *Short Wave Tribute To Argentine Today*

*Teatro al Día,* the Quigley Pan-American magazine, and CBS will join in a tribute to Argentina via a short wave radio broadcast from 3:00 to 3:30 P.M. today. Argentine stations will pick up the program and rebroadcast it.

Those who will be heard over the air include Dorita Norby, Argentine artistic delegate to the World's Fair and a prominent South American folklor interpreter; Alfredo Murua, owner of S.I.D.E. productions; Herminio Gimenez, Paraguayan singer; Tito Coral, Venezuelan baritone; Pablo Cavallo, co-owner of the Lautaret-Cavallo theatre circuit; and H. Albán-Mestanza, editor of *Teatro al Día.*

# BANNER LINES

By JACK BANNER

**HOLLYWOOD ENLISTED IN PATRIOTIC PROGRAM** . . . American Bar Association will present a radio program over NBC June 14 to celebrate Flag Day, and has called upon Hollywood to enhance the show. Louis K. Sidney will produce, and Don Ameche and Robert Young will serve as emcees. Gary Cooper will present a tribute to the flag; the "Hardy Family" with Louis Stone, Mickey Rooney, Fay Holden, Cecelia Parker and Ann Rutherford will offer a dramatic piece written by Rupert Hughes. Tyrone Power, Judy Garland, Lionel Barrymore, John Carradine, Pat O'Brien, John Litel, Beulah Bondi, and Warren Hull also will participate. Broadcast will be aired from 9 to 10 P. M. over the Blue network.

▼

**TIM HEALY BACK** . . . Capt. Tim Healy keeps bobbing in and out of radio with his stamp program. He'll now be back with a local show over WEAF starting June 19.

▼

**MAYOR HAGUE LINES UP JERSEY NETWORK** . . . Frank Hague, political boss of New Jersey, has lined up a radio network to help him sell to the Jersey citizenry a bill to legalize horse racing in the state. WHOM will broadcast his speech and feed it to WBRB, Red Bank, while recordings of his talks will be broadcast over WCAP, Asbury Park; and WMCA and WNEW of New York. It all occurs tonight.

▼

**TELEVISION FILM SCHEDULE REDUCED** . . . NBC is taking cognizance of a bad public reaction to its television film schedule, and will cut the schedule from 25 hours a week to half that. Films in the main have been commercials lacking entertainment value. Constant repetition of the same reels has made them pall on viewers.

▼

**CBS FOLKS IN RCA AD** . . . Yesterday's dailies ran RCA television ads with a picture insert showing "a number of well known New York personalities" watching the NBC television broadcast of the Baer-Nova fight. In the forefront of the photo are the countenances of Jim Tyler and Miss Rena Dean, both CBS employees.

▼

**FRED ALLEN'S CRACK** . . . Bill Rousseau of Young & Rubicam and producer of the Fred Allen series, recently became a father and Fred, dropping into the agency, was informed of the birth by other agency men and told the baby weighed 7 pounds. Later Rousseau personally phoned Allen, and told him the baby weighed 7½ pounds. "Wouldn't you know," cracked Fred, "that the agency would deduct 15 per cent!"

▼

**SQUALUS BENEFIT SET** . . . The columning committee arranging the benefit for the families of those who died in the Squalus has secured the Center Theatre for the benefit, which will be held June 21. Committee is now lining up an all-star cast. Each columnist will take a turn as emcee.

▼

**GERSHWIN MEMORIAL** . . . Last year on the anniversary of George Gershwin's death which occurs July 9, CBS presented a special memorial program, with Paul Whiteman's orchestra. The network is planning to repeat the show, again with Whiteman.

▼

**ELLERY QUEEN TO CBS** . . . Ellery Queen, the mystery story collaborators, will present a new detective mystery quiz series on CBS starting next Sunday. The writers have been producing a program, "Author, Author," on Mutual, but apparently that promising program has now been lost to Mutual. The CBS program will be a disguised version of "Author, Author." This is the second time Mutual has lost its outstanding program to another network. Mutual started "Hobby Lobby," but as soon as the program caught on it was taken elsewhere.

▼

**KAY KYSER RENEWED** . . . American Tobacco Co. has just renewed Kay Kyser's quiz series for another 13-weeks' stay on NBC, effective July 5. Lord & Thomas placed the renewal.

▼

**RE BASEBALL BROADCASTS** . . . Head of one of the great survey bureaus yesterday informed us that a poll just finished indicates that baseball broadcasts in New York are not faring as well as was expected. The survey shows that interest in baseball broadcasts here are just half of what they are in other cities where baseball is broadcast. This finding is more or less vindicated by the extensive promoting WABC and WOR are doing to interest lady fans in the broadcast games.

▼

**FORGETFUL BRIDEGROOM** . . . Bill Conway of the Paul Whiteman singing troupe marched down the aisle of the Little Church Around the Corner yesterday at 5 P. M. with Bernice Walker on his arm. Attendants were Paul Whiteman, Joan Edwards and the other three members of the troupe. Then the minister asked for the license . . . but need we go on? The license had been left home in Bronxville. More than two hours lapsed before Hal Dickenson, one of the troupe, after a mad motor dash, brought in the license.

# Moss Warns Of Television Peril to Films

Now, before television has mad greater progress, is the time for th film industry to think of ways an means of meeting the competition free entertainment from the [illegible] medium, believes B. S. Moss, pion New York theatre owner and showman.

After a study of television in London last year, Moss concluded that th greatest competition to exhibitors wil not be through television in theatre but the television shows that may b given on small screens in cafes.

"For a nickel or a dime a patro may sit and sip a drink and watch th show at the same time without extr charge," says Moss. "The same wil probably happen in this country. I such free shows become widesprea the competition to theatres will probably be big."

Moss avers this would be comparable to the novelty of radio broadcasts in corner cigar stores, restaurants and other places in the earl days of broadcasting.

"The imaginative and creative brain of our business should now be thinkin of what to do when television become competition. We should anticipate it, says Moss.

## *MPTO of Virginia To Meet on Monda*

ROANOKE, Va., June 8.—M.P.T.C of Virginia will hold its annual midsummer convention at the Hote Roanoke here on Monday.

Routine matters only are expecte to occupy the delegates. The firs business session will be held Monda morning, preceded by an address o welcome by Mayor Walter W. Woo of Roanoke. A cocktail party i planned for 4 P.M., at Rockledge In on Mill Mountain, and a drive in th morning for guests not attending th business sessions. An informal dinne dance at the hotel in the evening wil conclude the convention.

Officers are W. F. Crockett, president; Benjamin T. Pitts, vice-president; Harold Wood, secretary, an Sam Bendheim, Jr., treasurer.

## *Columbia Unbeaten; Heads Ball Leagu*

Columbia, still undefeated, leads th Motion Picture Baseball Leagu standings with Consolidated Film Industries and NBC tied for secon position. Paramount and Loew's pla today, Columbia and Skouras tomorrow. Team standings follow:

| | Won | Lost | Percentag |
|---|---|---|---|
| Columbia ........ | 4 | 0 | 1000 |
| Cons. F. Ind..... | 3 | 2 | 600 |
| NBC ............. | 3 | 2 | 600 |
| Skouras .......... | 2 | 2 | 500 |
| RKO ............. | 2 | 2 | 500 |
| Paramount ....... | 2 | 3 | 400 |
| Rock. Center ..... | 2 | 4 | 333 |
| Loew's ........... | 1 | 4 | 200 |

## *Weigh Wis. Game Plea*

MADISON, Wis., June 8.—The Stat Supreme Court has taken under advisement the plea for an injunctio sought by Circuit Judge Robert Cowie La Crosse, to restrain the La Cross Theatres Co. from operating Ban Night.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
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# 69 Theatres Protest Plans For Sign Ban

## laim Ordinance Would Exert Great Harm

A committee representing 769 film uses met with the City Planning mmission Friday to oppose enact-nt of the proposed regulation and nination, in some cases, of electrical ns, marquees and other outdoor ad-tising. Joining in the protest were itimate theatres.

The committee, appointed to repre-t the industry at a meeting last ek, pointed out that the existence of atres would be threatened by such islation.

Total assessment of the houses is 1,955,000 with $6,333,221 in realty es paid annually in addition to ny other taxes. The city's income m this source might be considerably luced if the ordinance were enacted, nmittee members said.

Theatres in this city pay approxi-tely $2,250,000 annually for current electric signs and the total main-ance cost is approximately $5,500,-. Employment obtained through se sources would be eliminated un- the proposed plan, it was said.

Present were Senator Henry Wal-s, John O'Connor, RKO, C. C. skowitz, Loew's, Harry Brandt, T. O. A., Louis Frisch, Randforce nusement, and Thomas Lamb, archi-t. James F. O'Reilly, executive retary of the League of New York eatres, and Milton Weinberger, ague attorney, represented the legiti-te stage.

# aramount to Obey Code, Says Agnew

Los Angeles, June 11.—Paramount l comply fully with the industry de practice program if it is ap-ved by exhibitors and the Gov-ment and is placed in effect, Neil Agnew, general sales manager, ted at the end of the company's ional sales convention Saturday.

Agnew, Austin Keough, vice-presi-t and general counsel, Charles gan, J. J. Unger, Oscar Morgan district division and branch mana-s discussed the code's provisions its effect on company sales poli- at a closed meeting.

nterpretations of code clauses and manner of making them effective e related by Agnew and Keough. esmen are to be instructed in code

(*Continued on page* 11)

# *Denied Studio Product, Television Relies Upon Amateurs' 16mm. Films*

**By AL FINESTONE**

Unable to make deals with the major film companies for their pictures, NBC will shortly start televising 16 mm. films which have been purchased or acquired from amateurs and commercial sources.

Holmes Projectors Co. of Chicago is perfecting a special 16 mm. projector for television on order from NBC. It will incorporate technique developed by RCA-NBC engineers and is expected to be in operation late this month.

The film-television situation has reached a stalemate. Without any definite policy on television, the attitude of the major film companies centers on two points:

1. Television broadcasters probably could obtain old pictures if they were willing to pay the price.

2. There is a feeling that if films were made available to television, exhibitors would object on the score of unfair competition and a strong sales resistance would be set up. This would apply particularly to new pictures.

Privately, the film companies have informed television interests that they fear exhibitor reaction and that on the basis of experience with radio shows in which film companies participated, exhibitors may start another crusade, with possible harmful effects on sales and film rentals.

During the period that television cannot offer adequate returns for the product, the film companies feel it is their wisest course to let well enough alone and await developments.

For this reason, the M. P. P. D. A. television committee, consisting of

(*Continued on page* 11)

## *Congress Will Get New Bill on Films*

**Washington, June 11. — Congressman Lyle H. Boren (D. of Okla.) revealed today that he was preparing to introduce in the near future in the House new legislation dealing with the motion picture industry.**

**In an exclusive interview, he disclosed that his measure would deal with divorcement as well as block booking and blind selling.**

**Boren expressed the belief that the situation at the capital will make impossible the enactment of the Neely Bill, but that his own measure will be acceptable to a large group of members who are interested in motion pictures, but who have not yet expressed themselves on the subject.**

# *Drop Duals, Cut Summer Rental, Illinois Allied Plea*

Chicago, June 11.—Defiantly demanding reductions in film rentals for the Summer and the abolishment of double features in Chicago, 75 members of the Allied of Illinois Friday afternoon held a four-hour session that was the stormiest in the organization's history.

Allied announced that it will take immediate steps to obtain relief for the Summer period. A majority of the members went even so far as to say that they would close their theatres entirely or go on a limited operation basis during the Summer if their demands are ignored.

A committee composed of Allied officers and exhibitors, Nate Wolff, Joe Weiss and William Charuhas, will direct the fight to eliminate duals here. More than 97 per cent of all Allied members are in favor of singles, Jack Kirsch, Allied president, said.

A telegram to Neil Agnew, Paramount general sales manager, said in part:

"Your subsidiary, Balaban & Katz, is the only stumbling block that prevents 95 per cent of smaller subsequent run theatres from operating in the black. Balaban & Katz refuses to cooperate in any way. Can you, for sake of future sales to these theatres, do anything to help?"

It is understood that film buying will be at a standstill here and downstate Illinois until after the Minneapolis Allied convention.

# Allied Parley Draws Many Studio Chiefs

## *3-Day Mill City Meeting Opens Tomorrow*

Executives of every film company will attend the 10th annual convention of Allied States at the Nicollet hotel in Minneapolis, starting tomorrow for three days.

A large New York delegation will be present. Several company executives are scheduled to speak at the "open forum" Wednesday afternoon.

### Paramount's Representatives

Paramount will be represented by Neil F. Agnew, general sales manager; Charles Reagan, division manager, and Austin C. Keough, counsel, who will arrive from the company's convention in Hollywood.

Other company representatives are: William Sussman and W. C. Gehring, 20th Century-Fox; Abe Montague, Columbia; Gradwell L. Sears, Warners; William F. Rodgers and Ed Saunders, M-G-M; Ned E. Depinet and H. M. Richey, RKO; L. J. Schlaifer and Harry Goldhar, United Artists; William A. Scully. Universal; Edward A. Golden, Monogram. District and branch managers also will attend from the field.

### Many New Yorkers Going

Others from New York attending will be David Palfreyman, M. P. P. D. A.; William Powers, National Theatres; George P. Skouras; Her-

(*Continued on page* 2)

# Consolidated Lab Strike Is Settled

Strike at the eastern laboratory of Consolidated Film Industries was settled 24 hours after it had begun with the men returning to work at 6 P.M. Friday.

Contract signed granted a closed shop to M.P. Laboratory Technicians, Local 702, and pay increases ranging from three dollars weekly to $18. The contract was retroactive to May 29.

Other provisions included a one-week vacation, effective this year, minimum of eight hours' pay for each working day, arbitration of disputes, guarantee of three working days per week, and time and a half for holidays and overtime.

Those in supervisory positions receive 10 per cent over the basic pay schedule.

# ◀ Purely Personal ▶

HENRY GINSBERG, vice-president and general manager of Selznick-International Pictures, is the father of a boy, born to Mrs Ginsberg in Hollywood. It is the second son.

•

Dorothy Butler, seventh floor receptionist at Loew's, will be married July 1 to John Raith, General Electric engineer, at the Church of the Immaculate Conception, Astoria. The ceremony will be performed by the groom's brother, the Rev. Vincent J. Raith.

•

Irving Berlin left yesterday for the coast by TWA plane. Leo Morrison flew to Chicago Friday over the same airline en route to the coast. Lawrence Tibbett left by TWA Friday on a quick trip to Hollywood.

•

Frank Donovan, RKO Pathe production manager, has returned to New York from Callander, Ont., where he directed the two-reel special featuring the Dionne Quintuplets, "Five Times Five."

•

Louis Davidson, former New York newspaperman, has been appointed assistant to Rodney Bush, recently appointed publicity and exploitation chief for 20th Century-Fox.

•

Joe E. Brown has accepted an invitation to be toastmaster of the annual banquet of the National Football Coaches' Association, to be held next Jan. 1 in Los Angeles.

•

Truman H. Talley, Movietone News' producer, and Mrs. Talley arrive today on the *Normandie* after eight weeks in Europe.

•

Anthony Collins, who will prepare the musical score for Herbert Wilcox's "Nurse Edith Cavell," is due today on the *Normandie,* en route to Hollywood.

•

Raymond Massey has received the annual Diploma of Honor from Lincoln Memorial University at Harrogate, Tenn.

•

Gilbert Miller, producer, is due today from London to start casting his next show, "Ladies and Gentlemen."

•

Paul Byram, Paramount story executive, returned Saturday from Europe. He looked over the London plays.

•

Cary Grant plans a European vacation of three weeks after completing RKO's "Memory of Love" this week.

•

Sally Eilers leaves New York for Hollywood today to start work in "Full Confessions" at RKO.

•

Leon Britton, Far Eastern division manager for RKO, arrives today on the *Normandie.*

•

H. J. Yates arrived Saturday from an extended stay on the coast.

•

Elaine Barrymore arrived from Chicago Friday via TWA.

•

Mrs. Ted Fio Rito sailed Friday on the *Vulcania.*

# Insider's Outlook

### By SAM SHAIN

THE story we hear is that if it were not for the fact that an aggressive film salesman attempted to oversell a small town exhibitor who had been the political campaign manager for a New England Senator, it is probable that the Neely bill today might have been a dead issue.

When this salesman tried to force this exhibitor to purchase more product and for a greater number of years than the exhibitor desired, he so angered the man that the latter communicated with the Senator and urged him to act favorably upon the Neely bill. Otherwise, the result of that Sub-Committee vote might have been 3 to 1 against the bill.

---

"TELL me," an exhibitor said to Howard Dietz, "What is becoming of the theatre business?"

"Is your business off?" asked Dietz.

"Oh, no," answered the theatre man, "as a matter of fact, my business is very good, but what I am complaining about is last year's business."

---

AFTER that recent statement of Attorney General Frank Murphy, a good many of the people in the trade feel that the anti-trust suit against the film companies will go to trial. There has been an over-abundance of official Washington talk pro and con.

---

WE shouldn't wonder if the repeated reference to American film companies "invading" South America with films is upsetting to our South American neighbors. There again it seems to be a case of too much talk.

There have been suggestions from important men in the business that all of us should be more prudent and less aggressive about the matter. Actually, there is not much Spanish film production being done under American auspices. In Hollywood, for instance, where we interviewed several producers and studio chieftains on the subject, we found them only slightly interested.

The Coast people see many problems involved. One is the problem of dialect.

Department of Commerce reports on Peru indicate that in that country the public in general is tiring of monotonous themes and the same background of Spanish dialogue films which are offered. According to the Commerce report, the situation applies principally to Mexican pictures.

"American quality productions, together with plots containing action, serious treatment, and international background, scheduled for release during 1939, are far superior, commercially speaking, for this particular country than productions offered to the public in Peru last year," the report states.

Spanish dialogue pictures, Mexican especially, have lost considerable ground in this market so far this year, compared with unprecedented success during the three and a half month period in 1938.

Nat Liebeskind, RKO supervisor for southern South America and manager for Argentina, here to attend the RKO sales convention next week, says that the potentialities of the South American market already are fully developed and that it is too much to expect that additional South American business can overcome the lost business in European markets.

Spanish films play only in subsequent run houses in Latin America, he declared, and offer no real competition to American product. Already negative costs on native product have risen sharply, largely because of players' salary demands. Those once getting 3,000 pesos per film are now receiving 65,000.

Native films cost about $45,000 each, he said.

---

EDGAR KENNEDY established a Hollywood record this past week when he started his tenth consecutive year as star of the "Average Man" short subject series for RKO. This is by far the longest run of the two-reel comedy field, according to Vance King.

---

WARNER BROS. last week inaugurated its "Film Committee for Editors' Summer Relief" under which its stars become "editorial stand-ins" for vacation-minded editors and columnists. They are offering the following players for such purpose: Paul Muni, Errol Flynn, Bette Davis, Edward G. Robinson, Humphrey Bogart, George Brent, Olivia de Havilland, Geraldine Fitzgerald, John Garfield, Priscilla Lane, Rosemary Lane, Jeffrey Lynn, Wayne Morris, Pat O'Brien, Ann Sheridan and John Payne.

As far as we're concerned, they can all start writing for us right away.

---

DON'T forget the Benny Goodman luncheon at the Edison, today, given on behalf of the refugees.

---

Erich Pommer flew to the coast Friday night via TWA. He is booked to fly back tomorrow.

•

Richard Carle has been given a role in "Ninotschka," M-G-M's new Greta Garbo picture.

John Rosenfeld, film editor of the Dallas *News,* and his wife, are here on a vacation.

•

Tex Ritter, Monogram western star, will start a personal appearance tour July 13.

# Allied Parley Draws Many Studio Chiefs

(*Continued from page 1*)

man Robbins and George Dembow, National Screen Service; Pete Harrison and Sam Fier.

Harry Brandt, president, and M[illegible]ton C. Weisman, general counsel, w[illegible] represent the I. T. O. A. and are scheduled to speak.

The New York Allied delegation will include Max A. Cohen, president; Harry G. Kosch, counsel; E. Thornton Kelly, Mitchell Conery of Ravena and Max Cohen of Brooklyn.

Lee Newbury of Belmar and Harry Kridel of Newark will represent New Jersey Allied.

Richey flies to Minneapolis today and Powers tomorrow, both via TWA.

### Minnesota Governor To Speak at Banquet

Minneapolis, June 11.—Gov. Harold E. Stassen will be guest of honor and will speak at national Allied's convention banquet Thursday night.

W. A. Steffes, convention chairman, expects an attendance of about 700. More than 500 hotel reservations have been made.

The convention will be attended by large delegations from Chicago, Detroit, New England, Milwaukee and other midwest points.

This will be the first convention presided over by Col. H. A. Cole of Dallas, who was elected president last year.

## *Royal Visit Delays Fair Strike Parley*

Conferences between New York Theatrical Trades Council and World's Fair authorities scheduled to be held over the weekend were postponed because of the visit of the British royal couple. Definite agreement or strike action is scheduled for this week, union officials state.

## *Para. Preview Wednesday*

Paramount on Wednesday evening will hold a press preview of the Jack Benny film, "Man About Town," at the Paramount Theatre, preceded by a dinner and floor show at the Paramount Hotel.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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MORE THAN EVER
IT WILL BE

# Universal
## in 1939·40

continuing the most amazing series of successes in MOTION PICTURE HISTORY!

## 2
## DEANNA DURBIN
### PRODUCTIONS

(one co-starring **Charles Boyer**)

Produced by JOE PASTERNAK

**HENRY KOSTER**
*Production*

## "The OCEAN BETWEEN"

FOUR PICTURES . . . FOUR SMASH HITS!
THAT'S KOSTER'S AMERICAN HISTORY!

Produced by JOE PASTERNAK

*Story by*
Bruno Frank

*Screenplay by*
Bruce Manning

*John M. Stahl's*

## "BULL BY THE HORNS"

Another masterpiece created by the genius of Stahl who brought to the screen the unforgettable "Magnificent Obsession," "Back Street," "Seed" and "Imitation of Life!"

# MORE THAN EVER IT WILL B

## 2 JOE PASTE

#1

The Hero of "YOU CAN'T TAKE IT WITH YOU," "MADE FOR EACH OTHER" and "MR. SMITH GOES TO WASHINGTON"

## JAMES STEWART

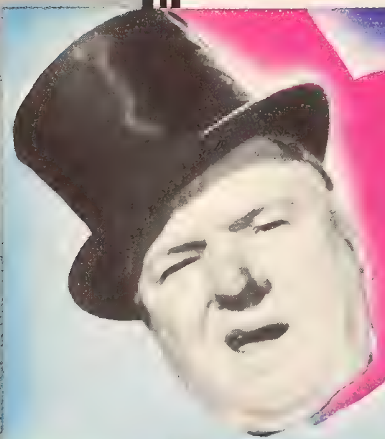
in

## "THE MAN from MONTANA"

*with* MISCHA AUER

## *Irene* DUNNE

An assured box office smash-hit with the star of "The Awful Truth" and "Love Affair"



## W.C. FIELDS

PRODUCTION

He's Rupee ripe now . . . . and we pick him to pack 'em with a great successor to "You Can't Cheat an Honest Man"!

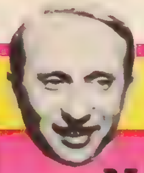
Produced by LESTER COWAN

## BING CROSBY

PRODUCTION

With a Marquee Full of GREAT NAME STARS!

# NIVERSAL in 1939-1940!



## IAK Productions

#2 NAN GREY ROBERT CUMMINGS
GLORIA JEAN *in*

## "THE UNDER PUP"

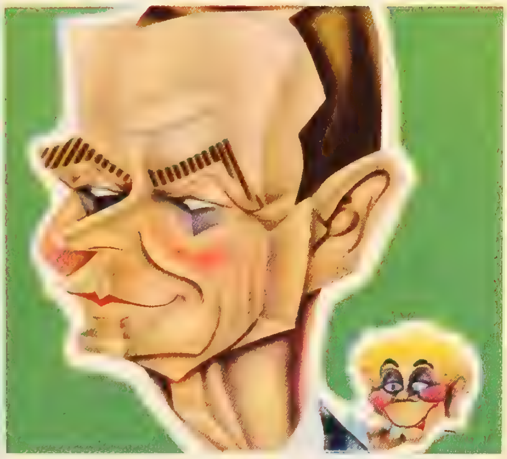
with Beulah Bondi, Margaret Lindsay, C. Aubrey Smith, Ernest Truex
Billy Gilbert, Raymond Walburn, Paul Cavanagh, Ann Gillis, Doris Lloyd
Original story by I. A. R. Wylie Screenplay by Grover Jones
Directed by RICHARD WALLACE

## "RIO"

*Starring*
**DANIELLE DARRIEUX**
Produced by JOE PASTERNAK

## EDGAR BERGEN
*and*
## CHARLIE McCARTHY
PRODUCTION

Another sure-fire hit—with a battery of front line stars added—and MORTIMER SNERD, too!



## MARGARET SULLAVAN
PRODUCTION

In a role destined to outshine even her own unforgettable performance in "Three Comrades" which won her the highest awards of the season.

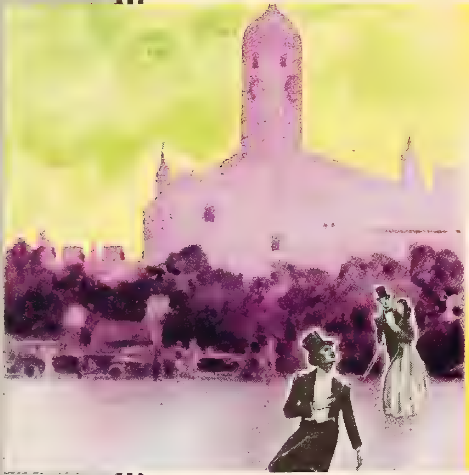
# MORE THAN EVER IT WILL B

## *Jackie* COOPER ★ *Freddie* BARTHOLOMEW

*in* 2 PRODUCTIONS

Thrilling, appealing, exploitable box office productions, *topical* stories of America's youth!

Produced by BURT KELLY · Directed by JOSEPH SANTLEY



## BASIL RATHBONE

*in*

## "TOWER of LONDON"

One of the greatest masterpieces of shock literature makes a perfect film vehicle for the arch-master of the sinister!

Produced and Directed by ROWLAND V. LEE,
who made "The Sun Never Sets" and "Son of Frankenstein"!

## "VICTORIA DOCKS *at* 8"

*starring*

## BASIL RATHBONE

With red fury coiled like a snake in his mind, he sought the peace of destruction in the throes of blind dementia!

An original story by Rufus King and Charles Beahan

Produced and Directed by RICHARD WALLACE

Directed by
**JOE MAY**
•
Original Story by
JOE MAY and
KURT SIODMAK

## "*The Invisible Man* RETURNS"

Demanded by exhibitor and public alike! Once again to fight his strange fight, to the amazement of unprecedented audiences!

**BURT KELLY**
Associate
Producer

## *Jackie* COOPER

*in*

## "HIS SON"

The production strength of a cast of distinguished stars and a director of outstanding merit will be given Cooper in this story—aimed to hit the pinnacle of his remarkably successful career!

# UNIVERSAL in 1939-1940!

## "RETURN OF THE SHEIK"

Here's ADVENTURE at Flood-Tide—produced on a scale matching in magnitude the panoramic sweep of the thrilling story!

## KARLOFF·LUGOSI
## "Friday the 13th"

The Merchants of Fear ready to declare even greater dividends than were paid to you with their never-to-be-forgotten "Frankenstein"!

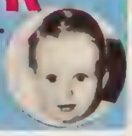
Associate Producer
MAX H. GOLDEN

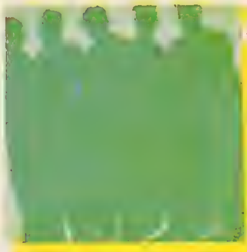
TWO PRODUCTIONS in

## "THE FAMILY NEXT DOOR"

SERIES · starring HUGH HERBERT

with Joy Hodges, Eddie Quillan, Ruth Donnelly, Juanita Quigley, Benny Bartlett and "SANDY", the Wonder Baby!



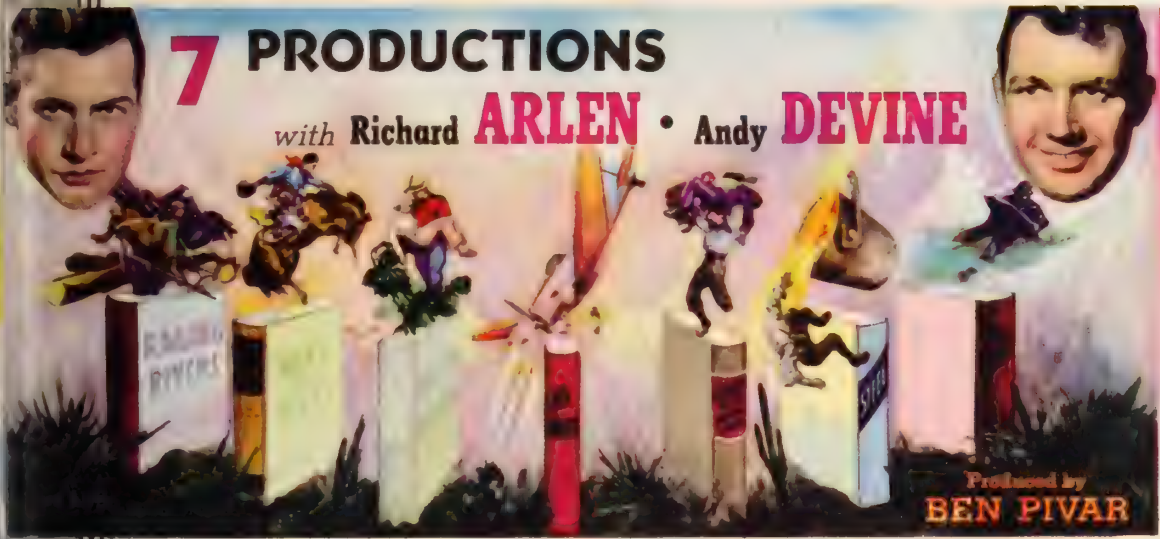


KEN GOLDSMITH
Associate Producer

## 2 LITTLE TOUGH GUYS PRODUCTIONS

"CALL A MESSENGER"
"ACADEMY WINNER"

With Added Assets in Important Names for the Casts, Stories and Production!



## 7 PRODUCTIONS with Richard ARLEN · Andy DEVINE

Produced by BEN PIVAR

Stories by the greatest authors of all-time!

·

"Mutiny on the Blackhawk"
"Man from Montreal"
"Way of the West"
"Raging Rivers"
"Air Express"
"Sea Patrol"
"Steel"

## MARQUEE PICTURES!

To liven up the box-office . . .
To attract Every Type of Patron!

### 4 EXPLOITATION PRODUCTIONS

Titles that can be campaigned — Group Casts that sell tickets!

"LIVE ALONE AND LIKE IT" · "MISSING EVIDENCE"
"CONVICTED WOMEN" · "ADVICE TO THE LOVELORN"

### 4 MUSICAL PRODUCTIONS

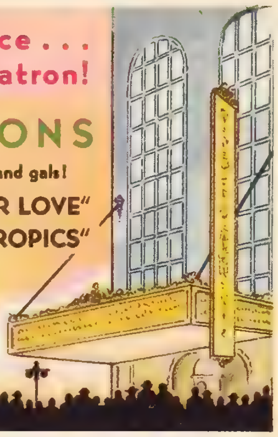
Zipful, zestful comedy-romances seasoned with hit-tunes and gals!

"PENTHOUSE SERENADE" · "DANCING FOR LOVE"
"RHYTHM FOR SALE" · "ROMANCE IN THE TROPICS"

### 8 ACTION PRODUCTIONS

They guarantee entertainment. Stories hot from the news and fads of the day! This series will be selected from the following stories:

Distress Signal · The Witness Vanishes · Eyes of the Coast Guard
Slightly Tempted · Vice Ring · Front Page Confession · Counterfeit Ring
Jail Baby · Freedom of the Air · Homicide Bureau · Ghost Ship
Hidden Money · Hero for a Day · Inquiring Reporter



## 7 JOHN MACK BROWN'S

with BOB BAKER and FUZZY KNIGHT

The three favorites of your action fans, in a series of pictures that will keep them jumpin' for joy!

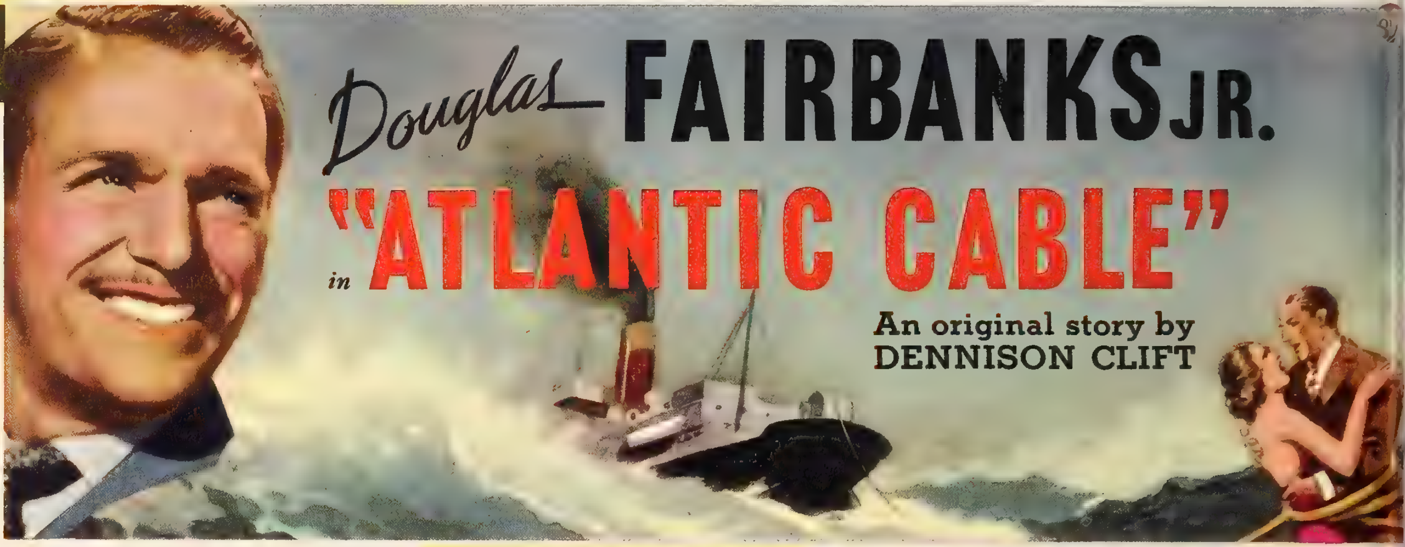
Produced & Directed by AL RAY

## MORE THAN EVER IT WILL B

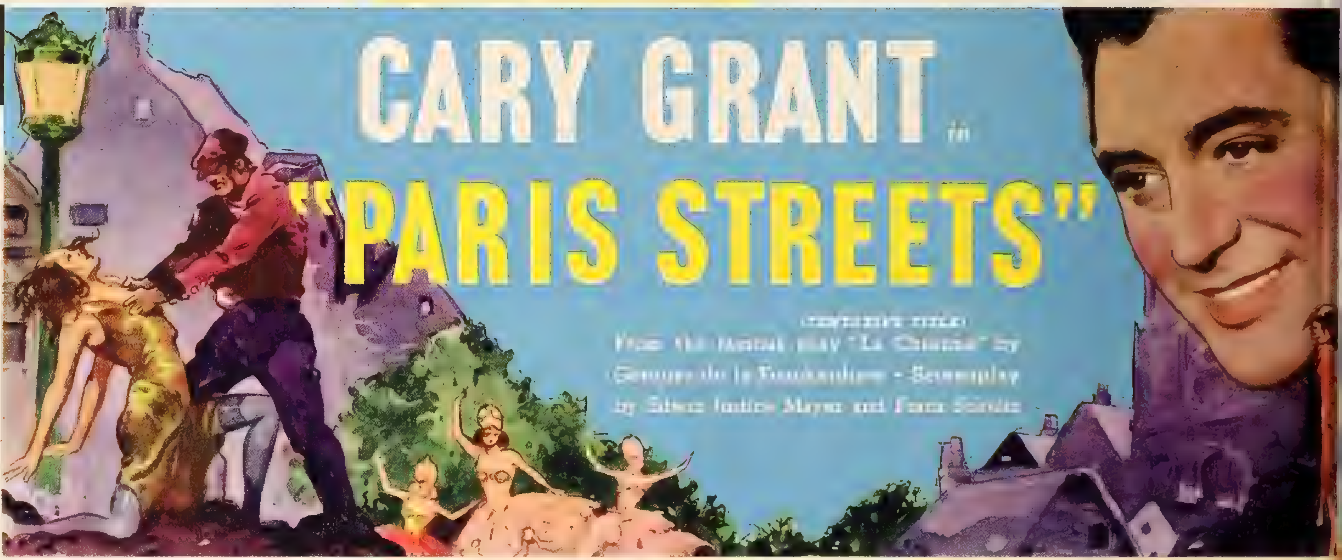
# 3 FAMOUS PRODUCTIONS

A new producing organization of major importance, headed by **HARRY EDINGTON**

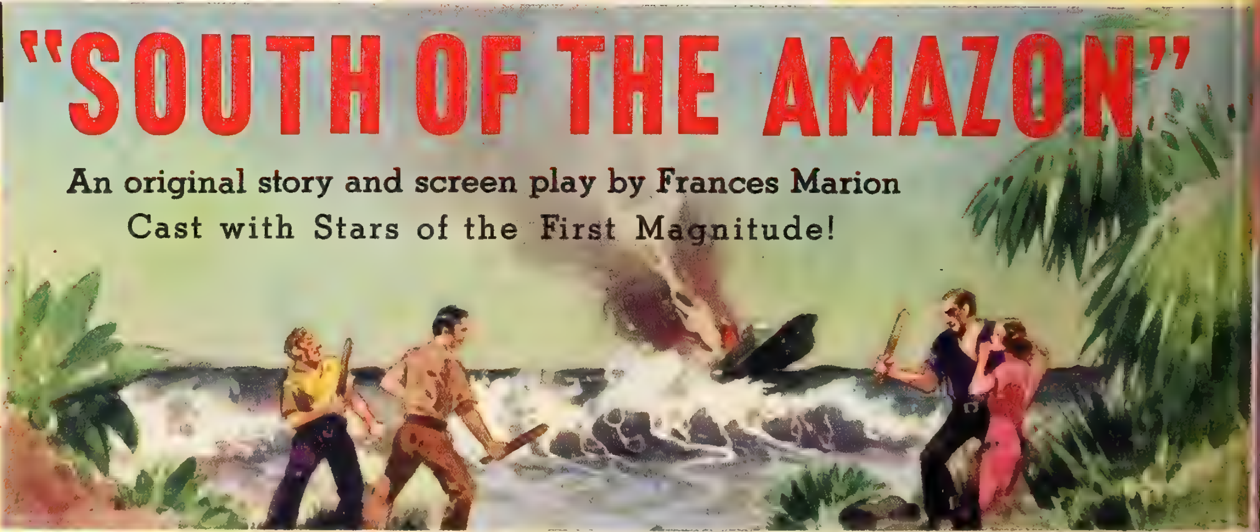
1


Douglas FAIRBANKS JR.
in "ATLANTIC CABLE"
An original story by DENNISON CLIFT

2


CARY GRANT in
"PARIS STREETS"

3

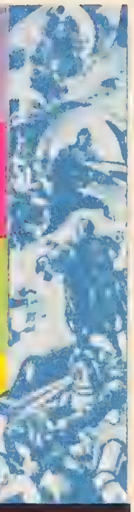

"SOUTH OF THE AMAZON"
An original story and screen play by Frances Marion
Cast with Stars of the First Magnitude!

# UNIVERSAL in 1939-1940!

## SERIAL POWER!

**. . . A QUARTETTE OF MONEY-MAKING, CROWD-PULLING CHAPTER-PLAYS**

Produced by the King
of Serial Producers—
HENRY MacRAE



**"THE OREGON TRAIL" . . . . . .**
15 Thrill-Packed Episodes of Pioneer Days—with John Mack Brown

**"THE PHANTOM CREEPS" . . . .**
Starring BELA LUGOSI in 12 Episodes of Fantastic Action

**"THE GREEN HORNET" . . . . .**
in 13 Episodes. Universal scoops the field with this radio sensation

**"BUCK ROGERS Conquering the Universe"**
12 Breath-taking Episodes with Larry Crabbe

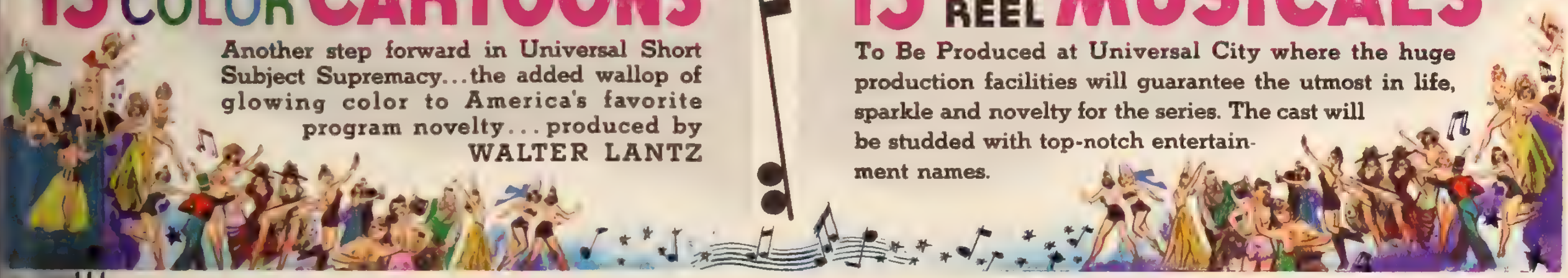
**HERE ARE 52 WEEKS OF BOX OFFICE INSURANCE!**

## 2 RE·ISSUES: *The Greatest Combination Show of the Season!*

**"MY MAN GODFREY" • "THE OLD DARK HOUSE"**

Presenting an Unprecedented Array of Big Star Names:—

**POWELL · LOMBARD · DOUGLAS · LAUGHTON · KARLOFF · AUER · PATRICK · BRADY · MASSEY**



## 13 COLOR CARTOONS

Another step forward in Universal Short Subject Supremacy...the added wallop of glowing color to America's favorite program novelty...produced by WALTER LANTZ

## 13 TWO REEL MUSICALS

To Be Produced at Universal City where the huge production facilities will guarantee the utmost in life, sparkle and novelty for the series. The cast will be studded with top-notch entertainment names.

## 15 "GOING PLACES" 1 REEL

A favorite with Universal exhibitors for many years...bringing to theatre patronage the far places of the world...picture stories finely photographed by foot loose cameramen who rove the Seven Seas.

•

Commentary by the ace-voice of radio—
**GRAHAM McNAMEE**

## 15 "STRANGER than FICTION" 1 REEL

Long established as a high spot in theatre programs where showmen build audience-appeal bills. Bringing to the screen the strange, startling, and almost unbelievable photographic evidence that "Truth Can Be Stranger Than Fiction."

•

Commentary by **ALOIS HAVRILLA**

## "MARCH OF FREEDOM"

**A TWO REEL SPECIAL**

A startling, dynamic, thrilling exposition on the Rediscovery of America—the land where Freedom still flourishes! The most exciting screen document ever recorded—America's March of Freedom since the founding of our nation!

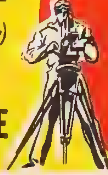
PRODUCED BY
**TOM MEAD and JOSEPH O'BRIEN**

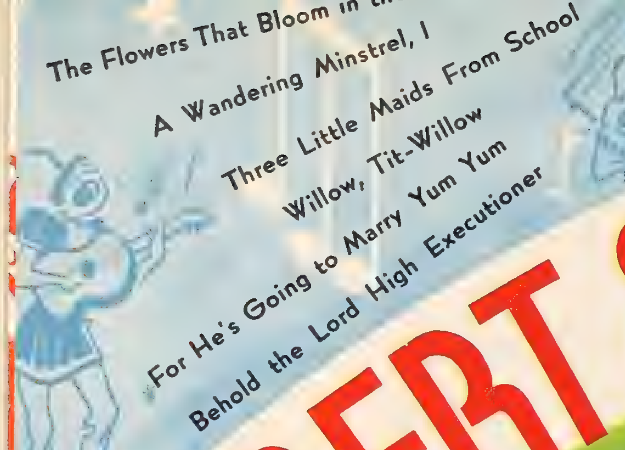
## NEWSREELS!

The Number One Newsreel of the Industry...A pioneer leader—and still the leader by actual exhibitor vote! *104 ISSUES (Twice Weekly)*

•

**Commentary by GRAHAM McNAMEE**





The Flowers That Bloom in th

A Wandering Minstrel, I

Three Little Maids From School

Willow, Tit-Willow

For He's Going to Marry Yum Yum

Behold the Lord High Executioner

# GILBERT & SULLIVAN'S

# "The MIKADO

## in TECHNICOLOR

BREAKING RECORDS IN PRE-RELEASE RUNS,

*because:*

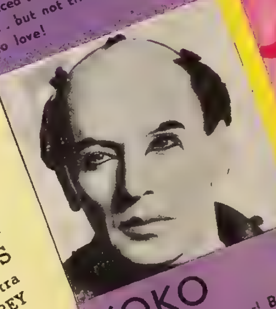
¶ Ninety Americans out of every hundred know at least two "Mikado" songs by tune!... ¶ Sixty Americans out of every hundred know two or more of these tunes by title!... ¶ Fully half of the people in this country know "The Mikado" by its name!... ¶ The greater proportion of this last group has either acted in or witnessed at least one performance of "The Mikado."

•

with **KENNY BAKER**
JEAN COLIN · MARTYN GREEN
SYDNEY GRANVILLE · JOHN BARCLAY
the D'OYLY CARTE CHORUS
Recorded by the London Symphony Orchestra
Adapted, Conducted and Produced by GEOFFREY TOYE · Directed by VICTOR SCHERTZINGER

**NANKI POO**

A wandering minstrel he. Sentenced to lose his head over a girl . . . but not till he had 30 days to love!

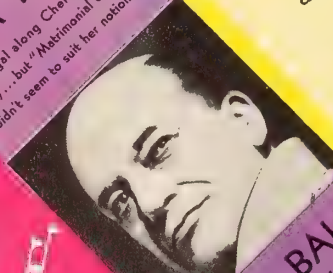


**KOKO**

Lord High Executioner! But he couldn't chop anyone's head off until he had chopped his own off!

**YUM YUM**

No. 1 gal along Cherry Blossom alley...but "Matrimonial devotion didn't seem to suit her notion!"



**POO BAH**

The big shot. First Lord of the Treasury, Chief Justice, Chief Commander, Admiral and Groom of the Second Floor Rear!

WALTER
**WINCHELL**
says:
"SUPREMACY!"

DANTON
**WALKER**
says:
"WILL CREATE A SENSATION!"

DOROTHY
**KILGALLEN**
says:
"Cutest thing in Technicolor since 'Snow White'!"

# Films Denied To Television; 16mm. Deal

(Continued from page 1)

Harry D. Buckley, United Artists vice-president, chairman; C. C. Mos[illegible]itz of Loew's and Paul A. Rai[illegible]rn of Paramount, is proceeding with caution.

The committee is giving much thought to the problem. It is probable that no policy will be established for several months.

### Urges Cooperation of Studios

The television attitude is expressed by Clarence W. Farrier, NBC coordinator of television. He said:

"The television habit will be established in the first year. If we cannot get the right type of film, we will use other shows. So far direct pickups of news and other events have proved the most popular. We may find that we can get along very well without the cooperation of the film industry."

Farrier continued: "The time for the film companies to work with us is now, when we are shaping our program policies. They ought to come in and get their feet wet, as we are doing.

"NBC is spending $500,000 a year on television in its present experimental status. The cost will increase progressively. We have no hope for returns for another eight or nine years.

"The film companies should not expect to reap rewards upon our efforts alone. The two mediums should work together. The film industry's share of the cost would be a fraction of our own."

### "No Films for Nothing"

To this, the film companies answer: The television people cannot expect to get our pictures for nothing."

And there the problem is joined.

Refusal of the film companies to supply product has forced NBC to cut its television schedule from 27 hours weekly to about half. Heretofore, the schedule has consisted of 23 hours of films for test and dealer demonstration purposes, two hours of "live" studio broadcasting and two hours of outside pickups by the mobile cameras.

Since April 30, when NBC began regular public broadcasting, about 1,000,000 feet of film have been televised by NBC, Farrier estimates. He points out that the medium uses a tremendous amount of material, and in order to avoid repetition, NBC in the future will not rely on films as the mainstay but will increase its "live" shows and news pickups. These will be increased from a total of four hours weekly to 10 hours.

Sixteen millimeter product offers a partial solution. NBC has several hundred thousand feet of narrow gauge film in its vaults. Much of this is well adapted for televising, says Farrier, and is being edited for use as soon as the 16 mm. projectors are installed.

### Great Deal of Tourist Product

NBC has investigated all possible sources of film, theatrical, non-theatrical, commercial, industrial and Governmental, both here and abroad. Much was offered without charge by commercial companies and foreign tourist bureaus. The network plans to use a large amount of foreign "tourist" product.

In attempting to arrange for televising "The River," a Government picture, NBC came up against the same problem it encounters in dealing with the film companies. Pare Lorentz, who produced the film and who has the rental rights, wanted more than NBC was willing to pay.

One other possible film course is open to NBC, and the network has it under consideration. Feature pictures produced by independent producers, as well as a number of foreign made pictures, have been offered to the network at nominal prices.

## *Television Spreads To Public Places*

**There are no restrictions on television reception in cafes, restaurants or other places for the public, NBC has decided.**

**A number of television receivers have been installed in New York in public places, and several are at the World's Fair, other than the RCA exhibit.**

**B. S. Moss, New York showman, has expressed fear that if television reception becomes widespread in public places, theatres will have competition.**

# *Spanish Films Will Stay, Director Shauer Avers*

By H. ALBAN-MESTANZA

*Editor, Teatro Al Dia*

"The Spanish picture is here to stay, but it is no longer a question of mere footage," says Mel Shauer, well-known Hollywood producer who is leaving Friday for Argentina to produce six pictures for United Artists release.

Shauer, with William Gordon, head of Victoria Films, is of the opinion that Spanish language pictures, instead of competing with Hollywood product, will tend to increase theatre attendance, especially in those countries where the majority of the population is unable to read superimposed titles.

The industry in Latin America, however, is going through an experimental period, according to Shauer. The market has been swamped with poor pictures, and so far first run exhibitors feel reluctant to give any playing time to this type of product, Shauer said.

Most producers have acted blindly in their rush to be the first to meet the demand for Spanish language films. No attempt has been made as yet to produce pictures which will appeal outside of each country; there has been technical problems to overcome, and distribution has been handled on a hit-or-miss basis. These obstacles, nevertheless, are being gradually overcome.

In Mexico and in Argentina, particularly, serious efforts are being made to establish native production on a business-like foundation. Well-equipped studios are now available, and the producers are paying more and more attention to the importance of the international value of their pictures.

Shauer, who has spent considerable time in Spanish-speaking countries, plans to make a thorough survey of conditions in Argentina before attempting to start production. He wants to get the "feeling" of the market, acquainting himself with local methods and requirements in order to profit by the experience of those who had pioneered the Spanish language industry.

His plans, therefore, are still indefinite, although Rosita Moreno, his wife, will start in two of the six pictures which he will make in Buenos Aires, with the native directors, writers and technicians.

## *Long Distance Plea Yields Two Passes*

**Chicago, June 11.—W. A. Stinchcom, manager of the Hi-Art theatre at Waybourne, Saskatchewan, Can., called Roy Bruder at the Chicago theatre here by long distance the other evening. Stinchcom said he planned to visit Chicago in a couple of weeks and asked for two passes to the Chicago. He got them.**

## *Bank Night Case Appeal*

PITTSBURGH, Pa., June 11.—The Stahl theatre is appealing from Alderman Kocurkovic's judgment for $300 in favor of Louis Reichenbach, patron who claimed the theatre refused to honor his winning Bank Night ticket last April 20.

## *Smith Quits Imperial*

E. J. Smith has severed his connection with Imperial Distributing Co. and Imperial Pictures, Inc., and is formulating plans for the distribution of several features.

## *16mm. Group Elects; Denies Competition*

Allied Non-Theatrical Film Association, Inc., has been formed, with offices here, to encourage wider use of visual education, distribute information and otherwise to promote the non-theatrical field.

The association declares it aims to cooperate with producers and exhibitors in avoiding situations competitive with the 35mm. field. Its members are said to be chiefly concerned with the use of 16mm. films in schools and other places where the showing of 35mm. films is not feasible. Conferences with producer and exhibitor groups are planned.

Officers are Bertram Willoughby, president; Harry Kapit, first vice-president; William K. Hedwig, second vice-president; Thomas J. Brandon, executive secretary; Harry Post, treasurer; Laurence Saltzman, A. C. Atkinson, H. T. Edwards, J. H. Hoffberg, directors.

## *Herndon Forms Agency*

HOLLYWOOD, June 8.—William S. Herndon, executive assistant to Dave Diamond, head of the story-writer department of M. C. A. Artists, Ltd., has resigned to open his own agency to handle writers and directors exclusively.

# Agnew Gives Para. Pledge To Obey Code

(Continued from page 1)

matters by managers subsequently.

Friday's session was given over to description of Paramount's advertising and publicity plans for the new season by Robert M. Gillham, and to a discussion of the company's British production activities by Russell Holman, Eastern production representative.

Gillham said newspaper advertising would have the most important place in the company's schedule. Special campaigns are planned for more important pictures. A plan of splitting local ad appropriations three ways for individual campaigns on first, subsequent and general release runs of pictures, rather than putting all into an opening campaign, will be tested. The plan is now being tried in New England theatres.

### Abandon "Quota" Pictures

Holman reported that Paramount has abandoned the production in England of so-called "quota" pictures and will concentrate on quality productions designed for the international market. "French Without Tears" will be first under this policy.

Holman also gave the meeting details of production progress on "Gulliver's Travels," feature length cartoon under way at Max Fleischer's Florida studio.

The convention closed with a banquent at Cocoanut Grove Saturday night with Jack Benny as master of ceremonies. Most of the 265 delegates left yesterday to visit the San Francisco World's Fair.

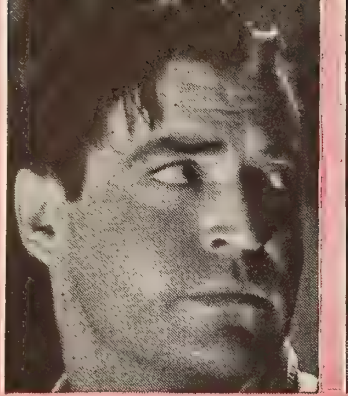
Barney Balaban, president, Stanton Griffis, chairman of executive committee, Adolph Zukor, Agnew and Y. Frank Freeman will go East together at the end of the week to attend annual meetings of company's stockholders and board of directors on June 29.

### Griffis Acquires 3,000 Shares of Common Stock

WASHINGTON, June 11.—Stanton Griffis, chairman of Paramount's executive committee, reported acquisition of 3,000 shares of Paramount common stock to the Securities and Exchange Commission in April. This amount represented his entire holdings in that class at the close of April.

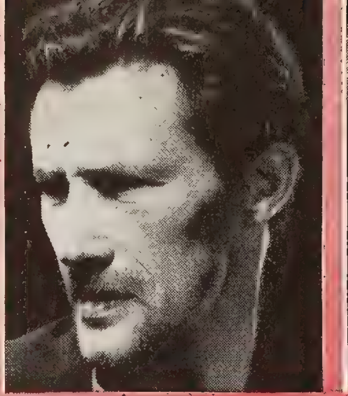
Other April transactions reported included the acquistion of five shares of Loew's Boston Theatres common stock by Loew's, Inc., bringing its holdings to 99,692 shares; disposition of 400 shares of Loew's, Inc., common stock by J. Robert Rubin of New York, officer, reducing his holdings to 33,075 shares; and acquisition of 10 shares of Universal Pictures first preferred stock by Preston Davie of New York, director, bringing his holdings to 120 shares.

A report on transactions in Warner Bros. stocks showed that Jack L. Warner, officer, disposed of 210 shares of preferred during the month, reducing his holdings to 14,884 shares, and that the three Warner brothers exchanged their optional six per cent convertible debentures for new debentures, the transaction involving 1,739,000 debentures held by Albert Warner, and 5,460 held through a holding company; 1,379,000 held by Harry M. Warner and 1,183,000 by Jack Warner.



**THE PILOT**

Iron-jawed man of action to whom beautiful women are passengers only.

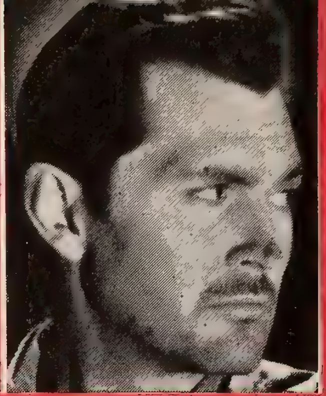


**THE DETECTIVE**

Escorting a desperate prisoner to doom on the scaffold.

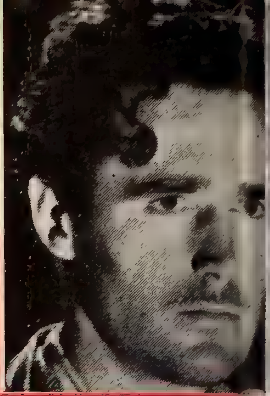
**LADY OF LEISURE**

Gold-digger by choice . . . fugitive by necessity . . . siren by nature.



**CO-PILOT**

Two-fisted man against the sky . . . a pushover for romance.



**HANDSOME PLA**

The man who convinced the
he was worth eloping with.

# DRAMA—DEEP, STAR

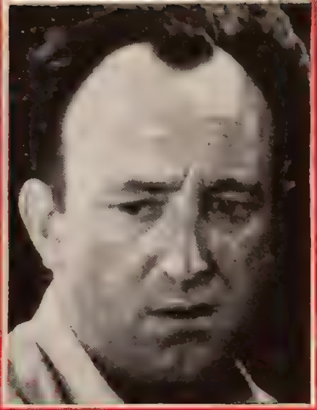
# FIVE CA

WITH

**CHESTER MORRIS • LUCILLE BALL • WEND**
**JOSEPH CALLEIA • C. AUBREY SMITH • KENT TAYLO**

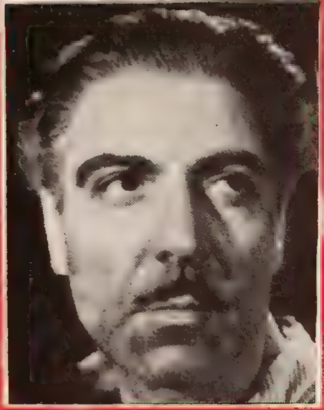
**CIETY HEIRESS**

ful, headstrong, demanding
oping to escape boredom.



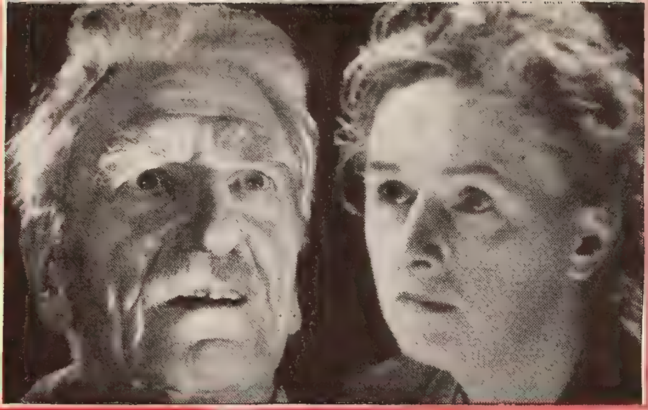
**GANGSTER**

Taking his chief's little son away from bullet-riddled streets.



**CRIMINAL**

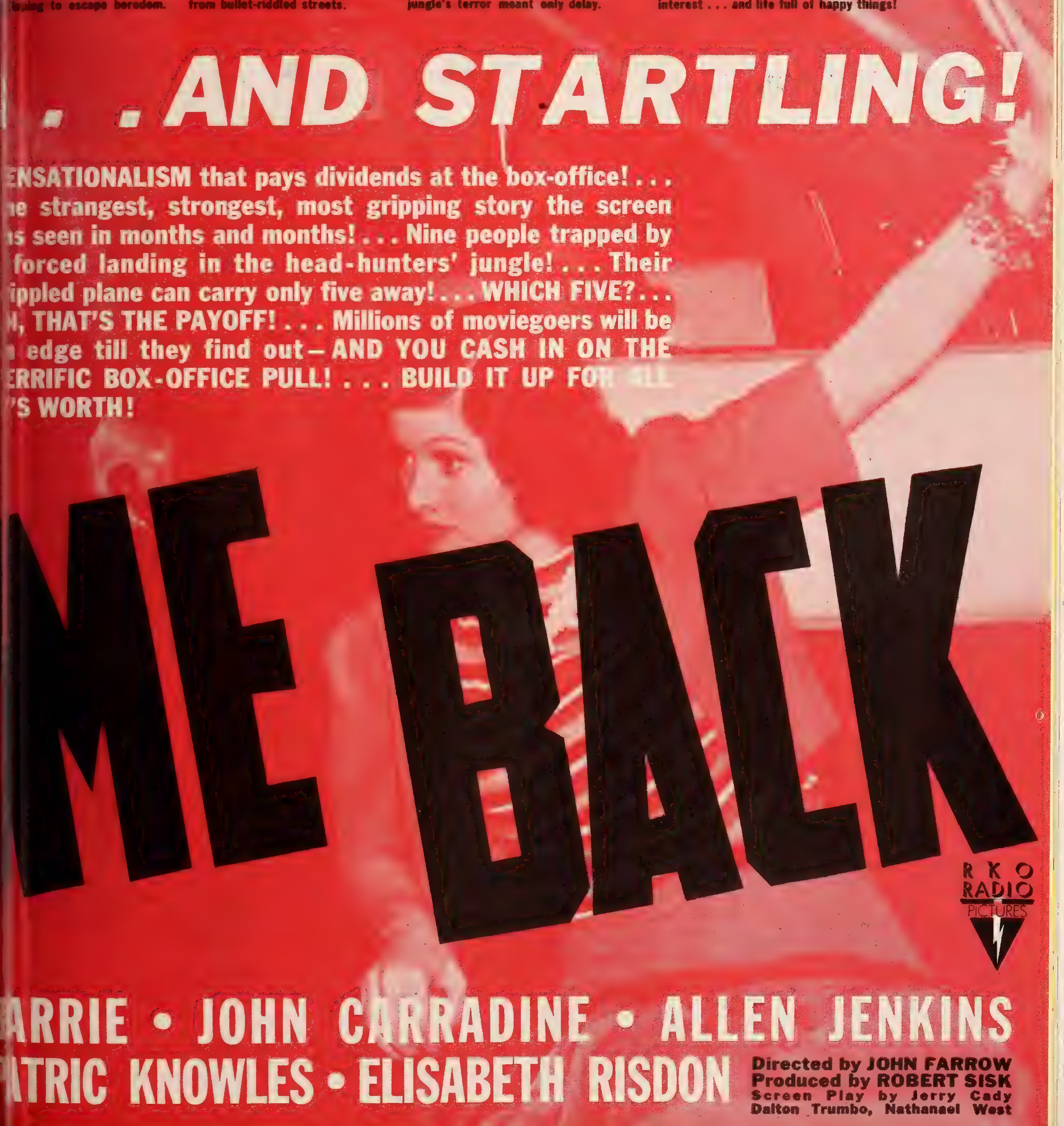
The doomed man to whom the jungle's terror meant only delay.



**CONTENTED COUPLE**

The botanist and his wife, to whom the jungle was alive with interest . . . and life full of happy things!

# . . AND STARTLING!



ENSATIONALISM that pays dividends at the box-office! . . .
e strangest, strongest, most gripping story the screen
s seen in months and months! . . . Nine people trapped by
forced landing in the head-hunters' jungle! . . . Their
ippled plane can carry only five away! . . . WHICH FIVE? . . .
, THAT'S THE PAYOFF! . . . Millions of moviegoers will be
edge till they find out—AND YOU CASH IN ON THE
ERRIFIC BOX-OFFICE PULL! . . . BUILD IT UP FOR ALL
'S WORTH!

# ME BACK

RKO RADIO PICTURES

**ARRIE • JOHN CARRADINE • ALLEN JENKINS**
**TRIC KNOWLES • ELISABETH RISDON**

Directed by JOHN FARROW
Produced by ROBERT SISK
Screen Play by Jerry Cady
Dalton Trumbo, Nathanael West

# Denver Gives Good $5,000 To 'Nazi Spy'

DENVER, June 11.—"Confessions of a Nazi Spy" and "Torchy Runs for Mayor," with $5,000 at the Paramount, warranted holding another week, the first holdover since December.

Estimated takings for the week ending June 7:

**"Mutiny on the Bounty" (M-G-M)**
ALADDIN — (1,400) (24c-40c) 7 days. Gross: $3,000. (Average, $3,500)
**"The Lady's from Kentucky" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $6,000. (Average, $6,500)
**"Rose of Washington Square" (20th-Fox)**
DENVER — (2,525) (25c-35c-40c) 7 days. Gross: $9,500. (Average, $9,000)
**"The Mikado" (M-G-M)**
**"Tell No Tales" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $8,500)
**"Confessions of a Nazi Spy" (W. B.)**
**"Torchy Runs for Mayor" (W. B.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)
**"Alexander Graham Bell" (20th-Fox)**
**"For Love of Money" (Univ.)**
RIALTO—(878) (25c-40c) 7 days. "Bell" 2nd week. Gross: $2,000. (Average, $1,750)

## *McConville Leaving On Nine-Month Tour*

J. A. McConville, foreign manager of Columbia, will leave on the *Washington* Wednesday for a world tour of the company's foreign offices. The nine-month trip will take him to Europe, Latin America, Australia and the Far East.

In England, McConville will confer with Joseph Friedman, managing director, and attend the English sales convention, to be set after his arrival. He will visit recently opened offices in Marseilles and Brussels. On his return from Europe, McConville will go to Central and South America, attending sales meetings in Havana and Buenos Aires.

Again returning to the United States, McConville will leave for Australia and the Far East, attending a sales meeting in Sydney.

## *Show Aids $600,000 Drive for Refugees*

A gigantic stage show in the Winter Garden Thursday night will inaugurate the Christian German Refugees' drive to raise $600,000.

Among those who will appear in the show are Eddie Cantor, Sophie Tucker, Victor Moore, Tallulah Bankhead, Raymond Massey, William Gaxton, Fredric March, Florence Eldridge, Kitty Carlisle, Ethel Waters, Sheila Barrett, Bill Robinson, Mary Martin and Hildegarde.

## *Strub Frisco Fair Head*

SAN FRANCISCO, June 11.—Charles H. "Doc" Strub, operator of the Santa Anita racetrack, has been named managing director of the Exposition, serving without compensation. Gwynn Wilson, Strub's righthand man, will serve as his chief assistant.

## *Take Astor Franchise*

Astor Pictures Corp. franchise for the Los Angeles territory has shifted from Selected Pictures, Inc., to Astor Film Co. of Southern California, newly formed by Louis Goldstein.

# *Hollywood Previews*

## *"Five Came Back"*

*(RKO)*

HOLLYWOOD, June 11.—RKO during the last six months has brought forth several pictures which have surpassed expectations as to their appeal. "Five Came Back" perhaps will meet with the same response. It is a melodrama of occurrences which follow the crash of a plane with 10 persons aboard in an uncharted South American jungle. It is simply and forcibly told, ably enacted and full of thrill and suspense.

The cast consists of Chester Morris, Lucille Ball, Wendy Barrie, John Carradine, Allen Jenkins, Joseph Calleia, C. Aubrey Smith, Kent Taylor, Patric Knowles, Elisabeth Risdon, youthful Casey Johnson and Dick Hogan—in the roles of passengers on the plane. The plane, one of its motors broken, lands in a jungle and pilots Morris and Taylor work for days to repair it, only to discover that the plane will take but five of them back to civilization. The breaking of the veneer of some and the regeneration of others forms the plot.

The screenplay by Jerry Cady, Dalton Trumbo and Nathanael West, who adapted the story by Richard Carroll, wastes little time in opening the story and continues to deliver fully throughout. John Farrow's direction of this Robert Sisk production is punctilious. Lee Marcus was executive producer.

Running time, 74 minutes. "G"* VANCE KING

## *"The House of Fear"*

*(Universal)*

HOLLYWOOD, June 11.—Fast moving farce comedy and mystery melodrama are the entertainment substance of "The House of Fear." While cast names are not exceptionally strong, each is well spotted in his or her individual roles and under Edmund Grainger's showmanlike production guidance and Joe May's astute direction the performances of all are good.

The plot is not new, but the many new twists introduced give it an air of freshness. An actor is mysteriously murdered; the case baffles the police as the house is hoodooed and the cast members terrorized. A year later, Detective William Gargan, posing as a producer, rounds up the old cast and plans to reproduce the show with the view of finding the killer. While comedy provided by El Brendel and Tom Dugan counterbalance suspense, Gargan, Irene Hervey, Dorothy Arnold, Harvey Stephens and Walter Woolf King become the victims of sinister mystic influences, Alan Dinehart and Robert Coote lurk in the background. As hidden doors and secret passages are brought into action to accentuate the melodrama, King is murdered. His killing sets Gargan on the trail of the shrouded murderer, who after an exciting chase through the flies and wings proves to be Dugan, Coote's pawn.

Adapted from the play, "The Last Warning," Peter Milne's screenplay is clever screen writing that makes for exploitable entertainment.

Running time, 65 minutes. "G."* G. McC.

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**"G" denotes general classification.*

# *Theatre, Personnel Notes*

### Cincinnati's Gayety Closes

CINCINNATI, June 11.—The Gayety, which recently switched from burlesque and pictures to straight films, has closed. Reopening is set for early Autumn with former combination policy. Morris Zaidens is manager.

### Barry Closes in Pittsburgh

PITTSBURGH, June 11.—Manuel Greenwald, manager of the Barry Theatre from its opening in September, 1937, to last week when it closed for the Summer, is considering several offers. Allen Wolsey, assistant manager of the Barry under Greenwald, is in Philadelphia.

### Bank Night Warning

SIOUX CITY, Ia., June 11.—H. Z. Sturgeon, public safety commissioner, has notified theatre managers they may be liable to arrest unless they find a way to keep Bank Night crowds out of the streets.

### Filmack Staff Change

CHICAGO, June 11.—The Filmack Trailer Co. has appointed Manning Silverman as its Milwaukee representative, succeeding Harlan Croy, resigned.

### Griffith Offices Moved

KANSAS CITY, June 11.—Home offices of Griffith-Dickinson Theatres are again located at 3525 Broadway after a sojourn in Johnson County (suburban Kansas City) for the past six months. The third floor of the Broadway location is being remodeled for permanent occupancy by the circuit.

### Little Takes Over Visualite

CHARLOTTE, N. C., June 11.—Tom Little, North Carolina exhibitor, has taken over the Visualite Theatre from the Hoffheimer interests and will continue to operate the house as a subsequent run.

# Boxoffice Lull In Pittsburgh Penn at Bes

PITTSBURGH, June 11.—Theatr fared badly for the week here, wit "It's a Wonderful World" turning i the best showing, $13,800 at Loe Penn.

Estimated takings for the week en ing June 8:

**"Only Angels Have Wings" (Col.)**
ALVIN—(1,800) (25c-35c-50c) 8 days, 2r week. Gross: $4,000. (Average, 7 day $7,000)
**"Rose of Washington Square" (20th-Fo**
FULTON—(1,800) (25c-40c) 6 days, 3r week. Gross: $4,000. (Average, $5,000)
**"It's a Wonderful World" (M-G-M)**
LOEW'S PENN—(3,600) (25c-35c-50c) days. Gross: $13,800. (Average, $15,00
**"Algiers" (U. A.) (Reissue)**
**"Stand Up and Fight" (M-G-M) (Reissu**
**"Four Daughters" (W. B.) (Reissue)**
**"Cowboy and the Lady" (U. A.) (Rei sue)**
SENATOR—(2,000) (15c-25c) split wee 7 days. Gross: $1,500. (Average, first ru $3,800)
**"Calling Dr. Kildare" (M-G-M)**
STANLEY—(3,600) (25c-40c-60c) 7 day On stage: Bert Wheeler, Trado Twin Iris Wayne, other acts. Gross: $11,00 (Average, $17,000)
**"Sorority House" (RKO)**
**"Mutiny on the Bounty" (M-G-M) (R issue)**
WARNER—(2,000) (25c-40c) 7 day Gross: $4,000. (Average, $5,000)

## *Upstate Clearance Meeting on June 2*

A conference to discuss upstat clearance has been set for June 21 i the office of H. M. Richey, RK director of exhibitor relations.

The meeting was requested by Ne York Allied following complaints b members in Albany, Troy and Sch nectady areas, where circuit prote tion is said to run as high as 120 an 180 days.

Allied delegations from the thr areas will attend the conferenc Others scheduled to sit in are Fabian, head of the Fabian circui Moe Silver, Albany zone manager f Warner theatres; Max A. Cohe New York Allied president, and Har G. Kosch, counsel.

## *Film Bookers Frolic In Illinois on June 2*

CHICAGO, June 11.—The Film Book ers Club of America will hold i first outing at the Alger Farm nea La Salle, Ill., on June 24. The grou plans to hold a "true or false" conte with the Filmrow Girls' Club ne week at the Crillon Hotel.

## *Harrison's Mother Dies*

Mrs. Pauline Harrison, 67, mothe of Robert Harrison, radio advertisin manager of MOTION PICTURE DAIL died on Friday at Reconstruction Ho pital, of injuries sustained when sh was struck by a truck while crossin the street. Her home was at 172 W 79th St. She is survived, in additio to Robert, by two daughters, Hele and Mrs. Edith Tobias. Burial wa made Sunday in Bayside Cemetery.

## *Radio Show on Stage*

CHICAGO, June 11.—The "Dr. I. Q. radio show broadcast every Monda night from the stage of the Chicag theatre has been renewed for anothe four weeks or until July 3, accordin to Manager Roy Bruder.

# . S. Criticizes lajor's Delay With Answers

n a letter addressed to Federal
ge William Bondy, U. S. Attor-
s in the Government anti-trust suit
nst major companies demanded
the defendants be compelled to
mit their answers immediately.
The letter asserted that the defend-
s had been sufficiently apprised of
nature of the suit and should be
mpelled to admit or deny the allega-
n.
Judge Bondy had stated at a hearing
t he would order the answers filed
he had authority to do so. The Gov-
ment contended in the letter that it
s not necessary to wait until the
l of particulars was filed before or-
ing the answers.

## . J. Allied in Fight On Horse Race Bets

Allied of New Jersey members are
wing a trailer asking voters to
pose legalization of horse race bet-
g, on which there will be a state
erendum June 20.
Exhibitors believe that the estab-
hment of race tracks will affect their
siness. Church elements are aligned
th exhibitors in opposing horse rac-
. Mayor Frank Hague of Jersey
y is conducting a campaign for it.

## rts Unions Name Feinberg as Chief

Federation of Arts Unions on Fri-
y elected William Feinberg, of the
sicians Union, Local 802, as chair-
n for the next year to succeed
thur Byron of Actors Equity. Byron
s named honorary chairman. Others
cted were John Lorenz, first vice-
airman; John F. Casey, second
e-chairman; Chet LaMore, third
e-chairman; Edward Everett Hale,
retary, and Robert Stern, treasurer.

## rovidence Clamps Ban on Two Plays

Providence, R. I., June 11.—The
reau of Police and Fire has banned
n Steinbeck's dramatization of "Of
ice and Men" and Claire Boothe's
he Women" as being "cheap, bawdy
d lusty." Both plays were denied
enses for presentation at the Albee.
Board member explained: "We do
t think the people of Providence
ed this kind of lowdown stuff."

## etro Drops Plans For Sinclair Story

Hollywood, June 11.—Metro-Gold-
n-Mayer has abandoned all plans
produce Sinclair Lewis' story, "It
n't Happen Here," which is re-
rded as too controversial. The studio
o maintains a lack of boxoffice in-
rest in propaganda films.

## epublic's Bermuda Deal

Republic has made its first deal in
rmuda by signing the Colony The-
es, Hamilton, to a contract for 26
tures, 26 westerns and four serials.
over C. Schaefer, vice-president,
sed the deal with Charles B.
onks of the circuit.

# BANNER LINES

### By JACK BANNER

**NEW PROGRAM POLICIES OF NBC** . . . New booklet outlining NBC's program policies, is just off the press. The policies, as now revised, are these, briefly: Taboos include statements which are offensive to religious views and racial characteristics; use of the Deity's name is permissible only when used reverently; material which depends upon physical imperfections for humorous effect is not acceptable; sacrilegeous, profane or obscene material is not allowed; dramas must be free of morbidity; emphasis on insobriety is not permitted; details as to the technique employed to accomplish criminal or anti-social practices must be minimized; figures of national prominence must be presented with fairness; the use of the word "flash" is reserved for the announcement of special news bulletins exclusively (this stems from the Orson Welles' "Mars fright").

NBC asks all scripts to be submitted for approval 24 hours in advance of broadcasts; commercials on 15-minute programs must occupy less than three minutes of the period; in evening programs the commercials are to be confined to less than 15 per cent of the period of a quarter-hour, and less than 10 per cent of the longer program periods.

The company will not accept advertising of medical product unless all material facts concerning the product are made known to the company; commercial copy which dramatizes distress or morbid situations is not allowed; the words "safe" and "harmless" or words of similar meaning are not acceptable in medical copy.

Children's programs are subjected to the following restrictions: No torture or impending horror, no use of the supernatural; no profanity, no kidnaping, no "cliff-hanging" serial episodes.

Concerning news programs, NBC stipulates it must never be treated sensationally, it must avoid sex crimes, and the announcer must never distort the news by an inflection of the voice.

▼

**STRANGE BUT TRUE** . . . It may read like a figment of fancy, but it actually occurred. Friday, the Honorable F. W. Bulcock, Australian Commissioner of Agriculture, visited Radio City and was escorted through the broadcasting citadel by President Lohr. Came the stop in the short-wave division, and in describing the response from foreign listeners, Lohr took the Australian Commissioner into the audience mail section of the department and invited him to read a few of the written comments. He handed Mr. Bulcock a number of missives, selected at random. The Commissioner casually glanced through the letters until he came to one which made him exclaim.

"Why, here's one from a dear friend and next door neighbor of mine," he said excitedly. It was from a Bill Holgate, who lives next to the Commissioner in Queensland.

▼

**A DITHER ABOUT A MYSTERY SHOW** . . . Our paragraph about Ellery Queen's forthcoming mystery show on CBS, and the conjecture that "Author, Author," the Ellery Queen show on Mutual may pass out of the Mutual province, has caused more excitement than the visit of the King and Queen. With the excitement subsided and the facts collected, the situation is this: "Author, Author" will remain on Mutual with Ellery Queen continuing active participation in it. The CBS show merely will be written by them and will differ radically from the Mutual program.

▼

**A.F.R.A. PRESIDENTIAL NOMINEES** . . . With the date for the A.F.R.A. convention set, conjecture is being heard about who will be the radio union's next president. In the opinion of union members, the presidential nominees most likely will be Eddie Cantor, who has been president since its inception; Lawrence Tibbett, Mark Smith (twice president of the New York local); Singer Margaret Speaks; Carlton KaDell (the Los Angeles' announcer); Virginia Payne (chief executive of the union in Chicago); Alex McKee (national chairman of the Singer's Committee); George Heller of the New York board. Others mentioned as presidential possibilities are Jack Benny and Jean Hersholt.

▼

**PERSONALS** . . . Tom Brooks, *Journal-American* radio editor, left on Friday for a two-weeks' studio tour of Chicago, Denver, Salt Lake City and Hollywood. . . . Mrs. Jimmie Lunceford, wife of the swing bandleader, graduated this past week from Columbia with an M.A. degree. Her husband is the possessor of four degrees. . . . Anona Winn, British radio commentator, arrives tomorrow on the *Aquitania*. . . . Carson Robertson and his "Buckaroos" return on the same vessel, after a number of months broadcasting over BBC. . . . H. S. Maraniss, formerly with RCA Manufacturing Co., has joined the Columbia Recording Corp. as assistant to the president.

▼

**GOODYEAR CONTRACT EXPIRING** . . . the contract for the Goodyear farm radio news program, with Don Goddard and Phil Evans, is running out in two weeks. However, because of its service qualities, it is unlikely that NBC will suspend the series. Most likely it will continue as a sustainer.

▼

**CAMEL DEFINITELY TO NBC** . . . There has been much speculation about the Benny Goodman program for Camel cigarettes switching from CBS to NBC, but it only became definite Saturday, when the Esty agency placed an executive order with NBC for the series. Contract is for one year, for 80 stations of the Red network, and starts July 8. It will be the first time in more than eight years that NBC has had the Camel account.

# RKO Special From Chicago To Convention

RKO district managers, managers and salesmen from the far west and midwest will leave Chicago on a special train next Saturday, en route to the company's annual sales convention at the Westchester Country Club, Rye, N. Y., June 19-21.

On the special will be sales personnel from 13 branches and two district chiefs. En route east, the train will make five stops, where delegates from 16 additional offices will be picked up.

At Chicago, H. C. Cohen, western district manager, and W. E. Branson, midwestern district manager, will be aboard, with the staffs from Chicago, Denver, Des Moines, Kansas City, Los Angeles, Milwaukee, Minneapolis, Omaha, Portland, Salt Lake City, San Francisco, Seattle and Sioux Falls.

En route east, delegations will be picked up from Indianapolis, Detroit, Cincinnati, Cleveland, Dallas, Memphis, Oklahoma City, St. Louis, Buffalo, Toronto, Calgary, Toronto, Vancouver, Winnipeg, Albany, Montreal and St. John. The Canadian men will be picked up at Buffalo and Albany. Nat Levy, eastern central district manager, and S. M. Sachs, southwestern district manager, will join the train en route.

Max Gomez, RKO manager for Mexico, and Ned Seckler, Cuban home office representative, will arrive tomorrow on the *Siboney*. Fred S. Gulbransen, Panama manager, will arrive by plane on Wednesday.

## MGM Signs College Students As Writers

Metro-Goldwyn-Mayer has signed the following ten junior writers from 34 graduating classes: Joy Davidman, Hunter; Ethel Frank, Vassar; Virginia Rooks, Manhattanville; Walter Doniger, Alfred Eisner, and Stanford Hunter Hendee, Harvard; Thomas Seller, Yale; John T. Southwell, Grinnell; Bernard Straub, Washington; and Robert Metzler, University of Southern California. The writers will be trained by Kenneth MacKenna, Metro scenario chief.

## Republic Films Suit

Republic filed suit in the Federal Court Friday against Federal Film Co., Inc., and Frank J. Whittle charging that defendants distributed plaintiff's films without authority. The complaint alleges that the films were assigned to Republic by Cajo Co., Inc., in April, 1937. Immediate impounding of the films is sought. Ten pictures are involved.

## Reserve Fox Decision

U. S. Circuit Court of Appeals reserved decision Friday on the appeal of Trust Co. of Georgia from an order of former Judge Martin T. Manton which refused to grant priority to the Trust Co. claim against Fox Theatres Corp. The claimant originally sought $1,053,646 for rentals of Atlanta theatre properties, but this was reduced to $400,000.

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you must use **NATIONAL SCREEN TRAILERS** ...consistently good for almost twenty years...

you must use **NATIONAL SCREEN TRAILERS** reaching a hundred percent audience at every performance . . .

you must use **NATIONAL SCREEN TRAILERS** with their double selling values . . . appealing through **BOTH** the printed word and the spoken word . . .

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**NATIONAL Screen SERVICE**

**PRIZE BABY OF THE INDUSTRY**

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o the Motion
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# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 113 NEW YORK, TUESDAY, JUNE 13, 1939 TEN CENTS

# iggest Allied Parley Open; Chiefs Attend

## ecret Ballot Will Reveal Attitude Upon Code

MINNEAPOLIS, June 12.—Allied's icies on pending industry matters, luding the trade practice code, will determined at the 10th annual contion which gets under way here torrow for three days.

Highlights of the convention will e Wendesday afternoon when, after ull discussion of the code by disutor and independent exhibitor repentatives, the exhibitors present will asked to vote by secret ballot ether they accept or reject it.

### Banquet Thursday Night

he convention at the Nicollet Howill wind up Thursday night with annual banquet at which addresses be made by industry leaders as as state and city officials.

Villiam F. Rodgers, M-G-M gensales manager and chairman of distributors' negotiating committee, speak at Wednesday's "open for-" Other speakers scheduled are ry Brandt, president of the New k I. T. O. A.; Milton C. Weis-, I. T. O. A. counsel; Abram F. ers, Allied board chairman and eral counsel; W. A. Steffes, Northt Allied president, and Col. H. A. e, president. Cole will preside at sessions.

### Largest Allied Convention

addition, representatives of all film panies and other exhibitor leaders e been invited to address the forum. ffes, chairman of convention argements, has declared that anyone the meeting will be permitted to e his say on trade practices.

teffes expects this to be the larg- Allied convention in several years. ance reservations have been heavy.

### Kuykendall to Attend

d Kuykendall, president, M. P. T. A., will attend and probably speak. s is unprecedented in Allied's contion annals.

mong other matters to be discussed double bills, giveaways, non-thecal and 16 mm. competition, radio television, and film rentals. There be an analysis of each companies' ing policies for the coming season vell as the current year.

teffes, as convention chairman, is d by a special convention commit- consisting of these Allied regional ers: Jack Kirsch, Chicago; Mau- Rubin, Indianapolis; Henry Laza-

(Continued on page 10)

# Trade Code Completed! Goes Out to Exhibitors

Final text of the industry's trade practice code and rules of arbitration of disputes, as revised, was sent to exhibitor organizations yesterday by the distributors' negotiating committee.

The text of the code itself represents no substantial changes from that submitted to exhibitor groups on March 30, and the distributors' committee regards it as final.

The arbitration rules, however, have been revised and enlarged and may be subject to further minor changes in order to clarify or simplify them, if necessary.

The full text of the code and rules of arbitration were submitted as one document, covering 29 printed pages.

The arbitration plan is based on suggestions from various sources, including exhibitors, distributors and groups which have dealt with arbitration. The rules originally incorporated many suggestions of Abram F. Myers, board chairman and general counsel of Allied States.

The revisions are the result of discussions with exhibitor interests, including Harry Brandt, president, and Milton C. Weisman, of counsel, of the New York I.T.O.A.

"This is the first full and complete plan of arbitration submitted to the industry," said Tyree Dillard, M-G-M attorney and a member of the drafting committee. "After much discussion, it comes as near being complete as anyone could make it."

William F. Rodgers, M-G-M general sales manager and chairman of the distributors' negotiating committee, will discuss the code and arbitration rules in detail at tomorrow's session of the Allied States convention in Minneapolis.

A letter accompanying the text and bearing Rodgers' signature, said in part:

"Following the same course as before, we are sending a copy of this letter and enclosure to the Department of Justice in accordance with assurances of counsel that the Department would be kept informed of the results of our industry conferences.

"As you know, the enclosed draft of the trade practice code resulted from conferences between the distributors and the various exhibitor groups representing most of the theatre operators throughout the country, and it is understood that any final agreement with respect thereto is subject

(Continued on page 10)

# Give More Details, Bondy Orders U.S.

Federal Judge William Bondy yesterday ordered the Government to expand the original bill of particulars, in its action against major companies, by naming each defendant who had been allegedly engaged in unfair selling practices, and by stating exactly what unfair practices had been employed against exhibitors.

The decision also directs the Government to define more exactly the type of control or interest which determines whether a theatre is an affiliate and whether the term "exhibitor-defendant" in the complaint means "producer-exhibitor-defendant."

The court denied other phases of the majors' request for a more detailed bill of particulars. Bondy refused the defendants' application for 60 days from the filing of a further bill to prepare and serve answers. Companies were ordered to file answers within 10 days of receipt of a further bill.

Columbia and United Artists are not affected by the ruling.

# New Congress Bill Will Govern Films

WASHINGTON, June 12.—Block booking will be prohibited to exhibitors as well as distributors in the new film legislation which is being prepared for introduction in the House of Representatives by Congressman Lyle H. Boren of Oklahoma, it was learned today.

Congressman Boren's bill, which may be offered as a substitute for the Neely bill should the latter be taken up, will be the most comprehensive piece of film legislation ever introduced in Congress.

Having as its chief objectives the divorcement of exhibition from production, elimination of block booking and blind selling and the encouragement of competition in exhibition, the bill will deal with such details as cancellations, exclusive privileges and circuit advantages.

The whole purpose of the bill, Boren told MOTION PICTURE DAILY today, will be to protect the independent exhibitor and provide the national audience a wider choice of thea-

(Continued on page 10)

# New Hopkins Parley Called 'Improbable'

## Justice Department Balks At Any Compromise

WASHINGTON, June 12.—The second conference between leaders of the film industry with Secretary of Commerce Harry Hopkins and his aids, scheduled this week, has been postponed.

This revelation was interpreted today as indicating that the industry is losing its confidence in Hopkins' ability to successfully carry out his program as intermediary between the film trade and the Department of Justice in its anti-trust campaign.

### Whole Matter 'Up In Air'

When Hollywood executives, headed by Will Hays, president of the Motion Picture Producers and Distributors of America, conferred here last week, it was understood that they would return this week to resume discussions.

Today at the Department of Commerce, officials said that such a meeting might be held in ten days, but apparently the whole matter is "up in the air."

It is understood that Secretary Hopkins is facing the same situation with respect to films as he did with the oil industry, i.e., refusal of Department

(Continued on page 2)

## N. Y. Officials Call Report Erroneous

**Industry officials in New York yesterday declined to comment on the Washington version of the film industry conferences, except to indicate that it was "erroneous."**

**However, from other authoritative sources it was ascertained that the Hopkins conference last week with studio executives was adjourned sine die. These same sources said that there was no new meeting scheduled this week and that none is in immediate prospect.**

**It was furthermore learned that there had been no discussion about yielding by means of a consent decree to the Department of Justice. The Hopkins parley last week was purely a "business meeting," it was maintained.**

# Stand Trial, Order By 4A To Whitehead

Ralph Whitehead, executive secretary of the American Federation of Actors, was ordered yesterday to stand trial before the Associated Actors and Artistes of America, parent body. An A. A. A. A. investigating committee, headed by Florence Marston, eastern representative of Screen Actors Guild, rendered its report which was "critical of Mr. Ralph Whitehead and of the conduct of the American Federation of Actors."

International board of the A. A. A. A. heard a statement by Sophie Tucker, A. F. A. president, and then ordered a hearing. It will take place as soon as all sides have completed their preparations, expected within two or three weeks.

Besides Mrs. Marston on the committee were Paul Dullzell, Actors Equity; George Heller, American Federation of Radio Artists; Frank Gillmore, president of A. A. A. A., and Paul Turner, its counsel.

Principal basis of the charges is the alleged lack of democratic control within the union, it was reported. The union has jurisdiction over actors employed in vaudeville, night clubs and out-of-door entertainments generally.

## North to Republic

Hollywood, June 12. — Robert North, formerly with Columbia, today joined Republic as associate producer. M. H. Hoffman, producer, resigned over the weekend.

FASTEST WAY TO LOS ANGELES!

OVER-NIGHT FARE $149.95

Fly TWA's Year-Round Route
—Shortest Coast-to-Coast!

TWA's "Sky Chief" leaves 5:30 p.m.... flies the fastest route to Los Angeles... arrives 7:13 a.m.! Or take TWA's daylight flight via Grand Canyon, Boulder Dam, the Southwest Indian Country.

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SHORTEST, FASTEST COAST-TO-COAST

# Purely Personal

Harry M. Warner, president of Warners, has returned to Burbank after an extended New York stay.

•

Eddie Dowling, starring in "Our Town" at the Albee, Providence, was honored at a testimonial luncheon by Edward M. Fay. Among those attending were Ed. McBride, Martin Toohey, Albert Clarke, Bernard Fay, James Fay and John Carroll.

•

Russell Lowden, cameraman employed by the Canadian Government, has received a pair of gold cuff links from King George VI in appreciation of the private screenings arranged for the royal couple.

•

Ralph J. Batschelet of the Fox Intermountain Bluebird, Denver, in town for the World's Fair, was a visitor yesterday at the Managers' Round Table department of *Motion Picture Herald*.

•

Harold Koenigsburg, assistant to Ralph Whitehead, executive secretary of American Federation of Actors, left for a honeymoon trip yesterday. His wife is the former Beatrice Kahn.

•

John Hesse has returned to his post as manager of the Roger Sherman, New Haven, after six weeks in an exchange of posts with Edward Lynch of the Warner, Bridgeport.

•

Myrna Loy arrives by plane from the coast today with her husband, Arthur Hornblow, Jr. She will sail tomorrow on the *Normandie* for three weeks in Europe.

•

Jascha Heifetz left for the coast over the weekend by car and will sail his yacht from Los Angeles to Honolulu. He will return east for concerts in August.

•

John McManus, manager of Loew's Midland, Kansas City, has left by automobile with Mrs. McManus and their three children for two weeks in California.

•

Ernie Emerling of Loew's advertising and publicity department and Mrs. Emerling return Thursday on the *Conte di Savoia* from a vacation.

•

Joe Goetz, assistant division manager of RKO Midwest in charge of personnel, is in Christ Hospital, Cincinnati, with a broken foot.

•

Harold Heffernan, Hollywood correspondent for the North American Newspaper Alliance, is in town to catch a few shows.

•

Russ McKibbon, manager of Famous Players Canadian's Royal in Guelph, Canada, is visiting the World's Fair.

•

Sam Wheeler, 20th Century-Fox branch manager in Washington, has recovered from an operation.

•

Mrs. Lily Pons, mother of the singer, sails today on the *Champlain* after visiting here.

•

Barney Balaban, Paramount president, will return to New York on Friday.

Will H. Hays is playing host at his Waldorf-Astoria apartment to General Charles D. Herron and Mrs. Herron of Honolulu who yesterday attended the graduation of their son, William M. Herron, at West Point.

•

Erich Von Sternberg, director, will sail tomorrow on the *Normandie*. Others who have reserved passage on the ship include Cary Grant, Marlene Dietrich, Rex Ingram, Margot Graham and Erich Maria Remarque.

•

Joseph Mathieu, Capitol, Winchendon, Mass.; John W. Howe, Olympia, Portsmouth, N. H., and Thomas Alfieri, Community, Millbrook, N. Y., were visitors at the RKO World's Fair lounge yesterday.

•

John Garfield is flying from Hollywood today to attend the Mexico City premiere of Warners "Juarez." He will be accompanied by Mrs. Garfield and Irving Rapper, dialogue director of the film.

•

Linda Hayes, former San Francisco hat check girl and candidate on the "Gateway to Hollywood" talent quest, has been assigned her second part in two months, in "The Spellbinder."

•

Darryl F. Zanuck, 20th Century-Fox vice-president in charge of production, arrived here over the weekend for conferences with Joseph M. Schenck, chairman of the board.

•

Lynn Farnol, Archie Mayo, Leo Justin, Joe Malcolm, William German, Cal Swanson, Jack Kirkland, lunching at Bob Goldstein's Tavern yesterday.

•

Truman H. Talley, general manager of Movietone News, returned on the *Normandie* yesterday from his annual inspection trip of Movietone offices abroad.

•

Sally Eilers left yesterday for Hollywood. She acted as guest hostess at the RKO lounge on Friday.

•

H. M. Richey of RKO stopped off in Chicago yesterday en route to the Allied convention in Minneapolis.

•

Edward P. Curtis, head of motion picture film sales for Eastman Kodak, is in town from Rochester, N. Y.

•

W. J. Merrill, formerly with Atlas Corporation, is assistant to George J. Schaefer, president of RKO.

•

G. L. Carrington, vice-president and general manager of Altec, is back after a business trip to Detroit.

•

Louis Astor, circuit sales executive at Columbia, left yesterday for a week's business trip to Boston.

•

Frank Walker has been called to Butte, Mont., because of the death of Mrs. Walker's father.

•

Mrs. Harry Buxbaum is recuperating at the Doctors Hospital following a major operation.

•

Mrs. Fred Meyer, wife of the chief film booker of the RKO circuit, is ill at home.

# New Hopkin Film Meetin Said Unlikel

(*Continued from page 1*)

of Justice officials to consider a
compromise in their anti-trust pr
cutions.

Meanwhile, the record of hearin
on the Department of Justice appr
priation bill, made public in the Se
ate, disclosed that Assistant Attorn
General Thurman Arnold complain
to the committee of the "obstructioni
tactics which the film industry has r
sorted to to delay trial of the Ne
York suit," and recommended esta
lishment of a special court to spe
such matters.

### Committee Approves $1,300,000 Trust Fund

Washington, June 12.—Wh
countermanding an order which wou
permit the establishment of region
officers by Assistant Attorney Gener
Thurman Arnold's anti-trust divisio
the Senate appropriations committ
today approved the appropriation
$1,300,000 for anti-trust prosecution
The Senate Committee, reporti
the Department of Justice supp
bill to the Senate, amended it to cou
termand the House order providing f
the regional offices.

The amendment, in effect, increas
the funds available for prosecution
monopoly complaints in the moti
picture, oil and phosphate industri
which the government at the prese
time is investigating. Arnold h
asked for approximately $200,000 mo
than was granted by the House.

In dealing with Department of Ju
tice appropriations, the Committee i
cluded a provision that the present
tion or prosecution of cases under t
anti-trust laws shall be conducted
cooperation with the Federal distri
attorneys of the districts in whi
they are brought.

## Stop Warner Picketin

Bookkeepers, Stenographers a
Accountants Union has abandoned i
picketing of Warner warehouse a
home office pending outcome of N.
R. B. hearings. None of the employ
who were allegedly dismissed f
union activities has been rehired.

MOTION PICTURE
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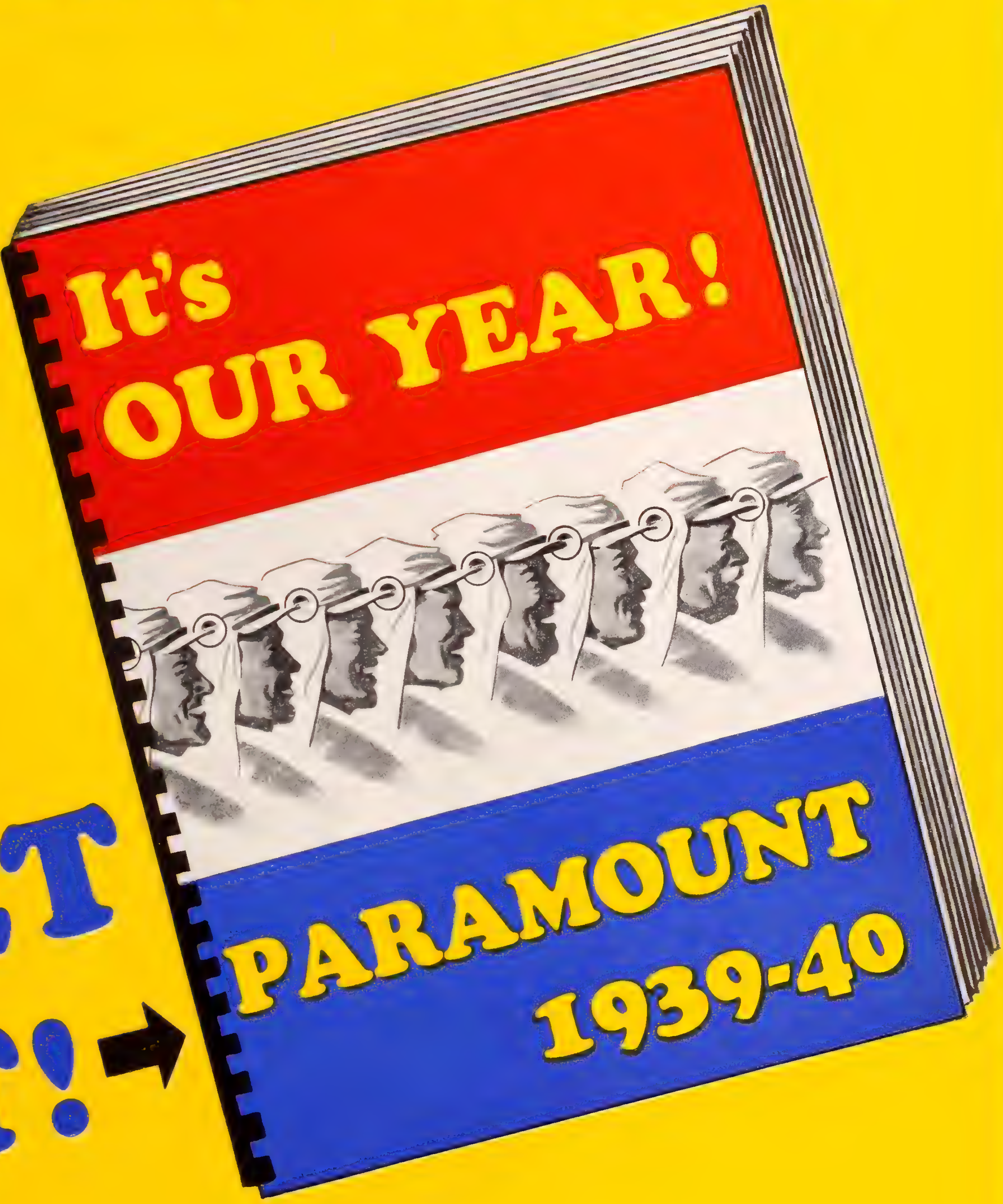
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**GET IT!** →

**It'll *Sell* You on *Selling* Paramount Pictures...**

FEATURE PICTURES

# READ IT!

It's got all the right answers to your 1939-1940 program, the kind of pictures you like, the kind of pictures you need . . . pictures with plenty of *MOTION* . . . pictures with world-wide, out-of-doors backgrounds . . . colorful . . . varied . . . and above all, pictures with *BIG NAME PERSONALITIES . . . AND PLENTY OF THEM . . .*

***Here are a few of the highlights...***

## *Note that Paramount Product Book Smile!*

That's how you're going to look when you read about the Paramount Program for 1939-1940 . . . pictures like "Beau Geste," with Gary Cooper, Ray Milland and Robert Preston in the top roles . . . or "The Light That Failed," Kipling's immortal story, with Ronald Colman playing the lead...or "Disputed Passage," right now a Lloyd Douglas best seller . . . or Frank Lloyd's huge "Ruler of the Seas" or Cecil B. DeMille's "Royal Canadian Mounted" . . . or Charles Laughton in "Jamaica Inn" or . . . but, listen, you've got to get the book and read it . . . Read Frank Freeman's message . . . Read William Le Baron's message . . . They'll show you IT'S OUR YEAR BECAUSE IT'S YOUR YEAR!!!

## 48 BOX OFFICE PERSONALITIES

Yes, 48 of the FRESHEST big-name personalities in the business . . . a big-name line-up big enough to insure you STAR VARIETY.

## 9 NOW ACTUALLY COMPLETED

## 5 NOW SHOOTING...

Practically our entire first quarter program ready long before the season starts...and what pictures! Just look at the actual stills from these pictures in the Paramount Product Book...they'll show you *IT'S OUR YEAR!*

# 58 FEATURE PICTURES

**The biggest program for your business from the biggest company in the business . . . at least one big *MOTION* picture each and every week . . . from the company that's given you at least one a week for the past 1,300 weeks.**

## 26 BIG BOX OFFICE DIRECTORS

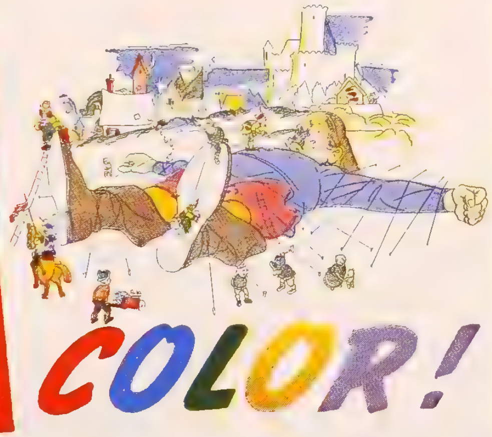
It takes big directors and plenty of 'em to direct a star line-up such as Paramount's . . . and Paramount's got 'em . . .

## 14 NEW FACES

Read about Paramount's thrilling line-up of new faces . . . the Golden Circle . . . Read how Paramount builds 'em for your box office.

**THE BIGGEST NEWS OF THE SCREEN YEAR!**
**A FULL-LENGTH FEATURE CARTOON**
**COMPLETELY FILMED IN TECHNICOLOR . . .**

MAX FLEISCHER'S
# GULLIVER'S TRAVELS



IN COLOR!

***"I'm in the Paramount Product Book, lads, and me Shorts are more super-spectacular than ever . . ."***

# PARAMOUNT RELEASE SCHEDUL

| RELEASE DATE | TITLE |
|---|---|
| September 1 | **"BEAU GESTE"** |
| September 8 | **"GERONIMO!"** |
| September 15 | **"THE WORLD ON PARADE"** (Tentative Title) |
| September 22 | **"THE CAT AND THE CANARY"** |
| September 29 | **"$1000 A TOUCHDOWN"** |
| September 29 | **"RANGE WAR"** **(Hopalong Cassidy)** |
| October 6 | **"WHAT A LIFE"** |
| October 13 | **"JAMAICA INN"** |
| October 13 | **"PAROLES FOR SALE"** |
| October 20 | **"HAPPY ENDING"** |
| October 27 | **"DISPUTED PASSAGE"** |
| November 3 | **"A DOUBLE-DYED DECEIVER"** (Tentative Title) |
| November 10 | **"ARE HUSBANDS NECESSARY?"** |
| November 17 | **"EMERGENCY SQUAD"** |
| November 17 | **"RIDERS of the PANAMINT"** **(Hopalong Cassidy)** |
| November 24 | **"RULER OF THE SEAS"** |

# EPTEMBER • OCTOBER • NOVEMBER 1939

| CAST | DIRECTOR |
|---|---|
| ary Cooper • Ray Milland • Robert Preston • Brian Donlevy<br>usan Hayward • J. Carrol Naish | William A. Wellman |
| eston Foster • Ellen Drew • Andy Devine • William Henry | Paul H. Sloane |
|  | James Hogan |
| ob Hope • Paulette Goddard • John Beal • Douglass Montgomery<br>ale Sondergaard • Nydia Westman • Elizabeth Patterson | Elliott Nugent |
| oe E. Brown • Martha Raye |  |
| illiam Boyd • Russell Hayden • Matt Moore • Brett Wood<br>tty Moran • Pedro de Cordoba • Kenneth Harlan | Lesley Selander |
| ackie Cooper • Betty Field • John Howard • Janice Logan<br>ionel Stander • Vaughan Glaser • James Corner | Theodore Reed |
| harles Laughton • Maureen O'Hara • Leslie Banks<br>mlyn Williams • Robert Newton | Alfred Hitchcock |
| loyd Nolan • John Hartley • Wm. Frawley • Richard Dennig | Robert Florey |
| at O'Brien • Olympe Bradna • Roland Young<br>eginald Gardiner • George E. Stone | Lewis Milestone |
| orothy Lamour • Akim Tamiroff • John Howard<br>dith Barrett • Gordon Jones | Frank Borzage |
| ito Guizar • Emma Dunn • Alan Mowbray<br>ale Sondergaard • Jane Clayton • Minor Watson | E. H. Venturini |
| ed MacMurray • Madeleine Carroll • Helen Broderick<br>sa Massen • Carolyn Lee | Edward H. Griffith |
| oyd Nolan • William Henry | Louis King |
| illiam Boyd • Russell Hayden • George Hayes | Lesley Selander |
| ouglas Fairbanks, Jr. • Will Fyffe • Margaret Lockwood<br>eorge Bancroft • Vaughan Glaser | Frank Lloyd |

1939 - 1940
IT'S OUR YEAR!
Paramount Pictures
OCTOBER
JANUA
RCH
APRIL
MAY
JUNE
AUGUST
SUN
MON
TUE
WED
THU
FRI
SAT

# . J. Officials id Theatre's lonopoly Suit

PHILADELPHIA, June 12.—Landis eatre, Vineland, N. J., filed a mo- ly action against Warner Brothers atres and major distributors in deral Court here today.

o-complainants with the theatre virtually all civic officials of the rough of Vineland and surrounding ndis Township. Mayor Gittone, o commissioners and five township mitteemen are listed. They filed suit in behalf of the welfare of community, but not as a corpo- e act of the borough.

Eugene Mori, operator of the Lan- , alleges discrimination in favor the Grand and Globe, circuit uses. The plaintiff seeks an injunc- n restraining the defendants from uiring competing theatres, and di- ting Warner Theatres to divest it- f of interest in the Globe and and, and asks that alleged illegal nspiracies in restraint of trade be oken up.

## arners Theatre Chiefs Meet Today

Warner Bros.' theatre district man- ers will meet in the company's me office this morning with Joseph rnhard, general manager of Warner eatres. District managers attend- are:

Pittsburgh, C. J. Latta, B. F. pore, T. J. Fordham and Sid cobs; Chicago, Harry Turrell, arles C. Ryan and N. W. Wheel- ; Milwaukee, Jack Keegan; New- , Tony Williams, Dick Hill, R. Kuehn and Chas. Dooley; Phila- phia, L. B. Craver, Paul Costello, uis Davidoff, Stephen Barutio, Al ough, Ed Moore and Jack Mul- l; Washington, Nat Classer, Harry hmeyer and Guy Wonders; Albany, as. Smakwitz and Ralph Crabill; eveland, Frank Harpster, Roy own and Dick Wright; New ven, Henry Needles, Dan Finn, y Barrett and Max Melinoff.

Home office executives at the meet- will include Clayton Bond, Leon- l Schlesinger, Willard C. Patter- , Frank Phelps and Harry Gold- g.

## $1,000,000 Libel Suit

A $1,000,000 libel suit against mberger Broadcasting Service, Inc., ner of WOR; Wodaam Corp., ner of WNEW, Edwin C. Hill, roy A. Lincoln, and the Metropoli- Life Insurance Co. has been filed N. Y. Supreme Court by Donald sdine, insurance consultant.

## Young Has Own Firm

HOLLYWOOD, June 12.—Lon Young s left Roland Reed and Hollywood dustrial Pictures to open his own ices for the production of public ations, sales-training, documentary d industrial pictures, under the name Lon Young Productions. Freeman sk will be associated with him.

# Theatre, Personnel Notes

### Fulton to Close Soon

PITTSBURGH, June 12.—The Fulton theatre will close for five or six weeks after the close of the current run of "The Mikado," Manager John Walsh announced.

### Remodels Des Moines Theatre

DES MOINES, Ia., June 12.—L. H. Kahn of the Grand is erecting a new front and neon sign at his theatre. It is the beginning of a remodeling program.

### New Charlotte Theatre

CHARLOTTE, N. C., June 12.—The Wilby-Kincey circuit plans to open its new suburban second run house here the end of June.

### Handles "Miss America" Pageant

PITTSBURGH, June 12.—Ken Hoel is acting publicity director of the Harris Amusement Co. for the next three months, while George Tyson, regular advertising head, is in Atlantic City handling the "Miss America" beauty pageant.

### Form Charlotte Firm

CHARLOTTE, N. C., June 12.—Elizabeth Theatre Corp. capitalized at $100,000, has been formed to operate theatres. Incorporators are T. A. Little, A. B. Craver and T. B. Autrey, all of Charlotte.

### Open North Carolina House

KANNAPOLIS, N. C., June 12.—Dixie Theatre has opened here recently. H. R. Butler is manager of the new house, which seats 500.

### Annexes 2 Milwaukee Houses

MILWAUKEE, June 12.—Latest neighborhood houses to be annexed by Fox are the Astor and Jackson, formerly operated by Harry Perlewitz. The circuit has closed the Kosciuzsko and Ogden for the summer and is operating the Grace and World weekends only. All are neighborhood houses.

### Two Companies Formed

ALBANY, June 12.—Two theatre companies have been incorporated here, Arnlew Corp., by Arnold Daniels, Josephine Kriger and Mandel M. Einhorn, and Adlon Amusements, Inc., by E. F. Goldberg, F. Rimler and I. Druck. Both are New York City companies.

### Plans House in S. C.

LANCASTER, S. C., June 12.—George W. Parr, owner of the Imperial here, plans a new 850-seat house, expected to be ready for opening in the fall.

### Waterstreet to M-G-M

KANSAS CITY, June 12.—Irving Waterstreet has succeeded Claude Morris as exploiteer for the H. P. Wolfberg division of M-G-M, with headquarters here. Morris has been transferred to St. Louis.

### Close Two Foreign Houses

SEATTLE, June 12.—Seattle's two foreign-language theatres have closed for the summer. They are Walter Rosener's Montlake, which will be remodeled, and John Danz's Uptown.

## 18 More Theatres Operate in Ontario

TORONTO, June 12.—The Province of Ontario now has 372 licensed theatres, an increase of 18 over the previous fiscal year. Official figures show that permission was granted for the modernizing of 15 houses during the latest fiscal 12 months.

A substantial reduction is noted in the number of licenses issued to public halls in which 16 mm. shows are permitted, as well as other forms of entertainment, the total dropping to 2,736 from 2,921 of one year ago.

## Start Spanish Film For United Artists

HOLLYWOOD, June 12.—"La Immaculada," first of the all-Spanish pictures to be produced by Atalaya Films, Inc., for United Artists, has started shooting at Grand National with Fortunio Bona Nova, Andrea Palma, Tana, Milissa, Luis Diaz Flores and Daniel Rea in the cast.

Bona Nova and Maury M. Cohen are co-producing, from the novel by Catalina d'Erzell, adapted by Paul Perez. Louis Gasnier is directing, with John Gonzales as dialogue director.

## RKO Outing Held

RKO home office employes yesterday held their annual boat ride and outing, a steamer trip to Bear Mountain, with all the usual contests. As in the past, half the employes went yesterday and the rest will go next Monday.

## London Notes

LONDON, June 12.—Exhibitor members of the Portsmouth branch of the Cinematograph Exhibitors' Association held a long discussion of Vice-President H. P. E. Mears' report on television, and were understood to have concluded that continued opposition to television would be futile.

Members of the British Home Office Advisory Committee on the Films Act are expected to press for a ban on all child performers.

The Film Employes Council plans to demand of the Board of Trade that quota percentages be increased and triple credits be abolished from the Films Act, "notwithstanding decisions of the Government Films Council."

A measure to cut the present ninepenny per seat entertainment tax to one penny was tabled in the House of Commons.

Efforts are being made behind the scenes to allow Australian pictures to count in the British distributors' quota in return for a 15 per cent exhibitors' quota in New South Wales. British producers are understood to be opposing the move.

London & Home Counties branch of the C.E.A. plan to fight the Middlesex County Council's recently proposed action instituting a seat price control rule based upon that set up by the London County Council.

# Big Peril Seen If New Taxes Win in Britain

Proposed new industry taxes in Great Britain threaten to end British production of features and short subjects and may eventually lead to the closing of many British theatres, according to Ralph Hanbury, RKO manager for the United Kingdom, who arrived yesterday on the *Normandie*.

"The new tax measure, if made permanent in the budget law, will virtually preclude further production of British features and shorts at a voluntary basis, as distinct from quota production and will stop the production and distribution of newsreels, educational films and sub-standard product," Hanbury said.

"The new taxes will also entail a reduction in the number of films imported into England, thereby reducing the number of films produced for quota purposes, increasing unemployment in British studios and further curtailing the already inadequate supply of pictures."

In the last quota year 639 foreign films were registered for distribution. This number is less than the previous year and may force theatres to close for a lack of product, Hanbury said.

The only salvation for production would be to place the full burden of the taxes on exhibitors, but this would lead to a "result equally disastrous," he concluded.

## Legion's Approval Given 7 New Films

National Legion of Decency approved seven of 10 films reviewed and classified this week and found three objectionable in part. The films and their classifications follows:

Class A-1, Unobjectionable for general patronage — "Boys' School," "Southward Ho!" and "Trapped in the Sky." Class A-2, Unobjectionable for adults—"Charlie Chan in Reno," "Five Came Back," "It Can Happen to You" and "The Sun Never Sets." Class B, Objectionable in part—"Maisie," "Panama Lady" and "The Zero Hour."

## Chicago Outing June 22

CHICAGO, June 12.—Tom Flannery, head of the Whiteway Sign Co. will entertain members of the local film industry at an outing June 22, at Nippersink Golf and Country Club. Flannery annually holds an outing for the film men at the resort.

## Clipper Takes Royal Visit Reels to London

**American newsreel clips of the British King and Queen's visit in New York were due to arrive in London last night. They left New York by transAtlantic clipper Saturday, with most of the reels sending lengthy editions. Paramount took advantage of the great interest in the New York City tour to issue a special edition containing local shots.**

# Code Ready! Copies Going To Exhibitors

(*Continued from page* 1)

to approval of the Department of Justice.

"Again we renew our previous suggestion that a joint conference be held with the Department of Justice at the earliest possible date for the purpose of obtaining its approval of these trade practice proposals and considering the methods of putting them into effect."

The changes representing deviations from the previous text are chiefly in phraseology, although some additions were made at the request of exhibitor groups. Legal terminology has been reduced to a minimum.

### Allocation of Features

The provision on allocation of features has the following addition:

"After the notice of price allocation of a feature for a particular theatre has been given by a distributor to an exhibitor, such price allocation shall not be changed for such theatre except by mutual agreement between the distributor and the exhibitor."

In the clause pertaining to arbitration awards for non-performance of a license agreement, there is an addition providing that if the distributor has arbitrarily and wilfully withheld a feature, or violated "run" or clearance, the exhibitor can collect damages in excess of the liquidated damages provided in the license agreement.

An added provision states: "Each signatory who carries on business in a jurisdiction where arbitration awards cannot be made legally effective, covenants that he will nevertheless abide by and perform in good faith any award that may be made hereunder or under said rules of abitration."

### Cooperation Stressed

The distributors are pledged to obtain the full cooperation of affiliated circuits or theatres in which they are interested, but over which they have no control. Exhibitor groups signing the code likewise are pledged to endeavor to secure the cooperation of all members and theatres operating in their areas.

The distributor involved in an arbitration award on overbuying is made bound by the decision.

Disputes relating to overbuying are kept on a two-party basis, with no right to the distributor to name an arbitrator. Disputes involving clearance are kept on a three-party basis, with the distributors, as a group, entitled to name an arbitrator in addition to the opposing exhibitors.

# *GN Retains Felt Co. For Financing Plan*

Educational Pictures, Inc., and Grand National Pictures, Inc., have retained Felt & Co., Wall Street firm, to provide a plan of readjustment of the corporate and financial structure of the companies, according to a statement issued yesterday.

Educational owns a substantial amount of the preferred and 83 per cent of the common stock of Grand National, according to E. W. Hammons, president of both companies. Approximately $1,000,000 will be provided for production and working capital, under the Felt plan, it was said.

# *Largest Allied Convention Draws Host of Film Chiefs*

## *Kuykendall May Speak; Many New Yorkers To Minneapolis*

(*Continued from page* 1)

rus, New Orleans; Herman Blum, Baltimore; Nathan Yamins, former national president, Fall River, Mass.; Ray Branch, Michigan; Irving Dollinger, New Jersey; M. B. Horwitz, Cleveland; P. J. Wood, Columbus; Martin Smith, Toledo; M. A. Rosenberg, Pittsburgh; Sidney Samuelson, Philadelphia; C. H. Olive, Washington, D. C.; Edward F. Maertz, Milwaukee.

Registrants will receive guest tickets to any theatre in Minneapolis. They will also receive free golf tickets.

### New Yorkers Depart For Allied Convention

James R. Grainger, Republic president, leaves by plane tonight for Minneapolis for the Allied convention. Republic will also be represented by Max Roth, western district sales manager, of Chicago.

W. Ray Johnston, Monogram president, and Edward A. Golden, vice-president, also leave today.

Harry Brandt, president, I.T.O.A., and Milton C. Weisman, counsel, left yesterday. Lionel Toll, also representing the organization, flies to Minneapolis today.

## *Allied Program*

**TODAY—11 A. M., registration; 12 noon, luncheon meeting of Allied national board, Junior Ballroom; 2 P. M., first general session, Col. H. A. Cole presiding.**

**WEDNESDAY — 11 A. M., meeting of national board of directors; 12 noon, luncheon for registered guests, Minnesota Terrace; 2 P. M., second general session and open forum on trade practices; 7 P. M., dinner, Minnesota Terrace.**

**THURSDAY—10 A. M., meeting of national board; 12 noon, buffet luncheon; 1 P. M., third general session; 7 P. M., 10th annual birthday dinner, Gov. Harry E. Stassen of Minnesota, guest of honor.**

# *Chicago Film Club Formed by Women*

CHICAGO, June 12.—Newly organized Women's Film Industry Club of Chicago has elected Selma Hackman, of 20th Century-Fox, president. Other officers include: Beth Morganstern of Allied Theatres of Illinois, vice-president; Ila Elwood of M-G-M, secretaary; Mildred Jedlicka of Essaness, treasurer; Goldie Davidson of B. & K., publicity director.

Committee chairmen are: Dorothy Palowsky, entertainment; Bea Blumenthal, membership; Myrtle Collins, by laws; Florence Lipschitz, welfare; Marge Brown, good cheer.

## Allied Officers

**COL. H. A. COLE**

**President National Allied**

**W. A. STEFFES**

**Northwest Allied President**

**ABRAM MYERS**

**Board Chairman and General Counsel**

# *New Congress Bill Will Govern Films*

(*Continued from page* 1)

tres and films. The bill will provide that circuits be given no advantages in price, protection or other details which are not available also to independent competitors, somewhat along the lines of the Robinson-Patman Anti-Price Discrimination Act.

In addition to forbidding exhibitors to buy in blocks, the measure may include a stipulation that the synopsis which is required under the section to outlaw blind buying need not be attached to the contract for any picture which an exhibitor sees before buying.

Also a possibility is a provision extending to trailers the same restrictions against false or misleading advertising as now are applied by the Federal Trade Commission to newspapers and radio programs.

In outlining the aims of his measure, Boren declared that it has been drawn without assistance from either producer or exhibitor interests. It is aimed at monopolistic conditions and unfair practices in the industry, he explained, whether engaged in by major companies or independent exhibitors, hence the restrictions which it proposes to impose upon the latter.

# Film Leader In Fund Drive Fete Goodma

Leaders of the film industry, stag
radio, music and allied amusements at
tended a luncheon at the Hotel Edis
yesterday in honor of Benny Go
man, orchestra leader, and in behalf
the United Jewish Appeal for Refu
gees.

Eddie Cantor was toastmaster. Othe
speakers were Ben Bernie, chairma
of the luncheon; Rabbi William Ro
enblum of Temple Israel, and Goo
man. About 300 attended.

The luncheon formally launched th
effort of the Amusement Division i
behalf of the emergency appeal whic
seeks funds to carry on the relief pr
gram of the three major Jewish age
cies helping refugees and other victin
of oppression overseas—the Joint Di
tribution Committee, the United Pa
estine Appeal and the National Coo
dinating Committee.

### Quota Is $250,000

The Amusement Division's quota
$250,000. Many large contributio
were announced at the luncheon.

Cantor told of the Nazi persecutio
and made an earnest appeal for su
port of the campaign. He urged th
contributions be increased over la
year as the need is more acute.

Among those on the dais were Dav
Bernstein, chairman of the Amus
ment Division; Albert Warner, c
chairman; Jack Cohn, vice-chairma
William Morris, treasurer; Commi
sioner Paul Moss, Arthur M. Loe
Louis Nizer, Phil Baker, Harry Hers
field, Henry F. Samstag, Lou Holt

Other committee leaders are Barne
Balaban and Nate J. Blumberg, bot
vice-chairmen.

### Generous Contributions

Cantor announced generous contr
butions from Nicholas M. Schenc
Murray Silverstone, Barney Balaba
Albert Warner, David Bernstein, A
thur M. Loew, Lee Shubert, Al Jo
son, Motion Picture Art Fund f
German Refugees, Herman Robbin
Benny Goodman, Ben Bernie, Ja
Robbins, Arthur Mayer, Harry Goet
William and Harry Brandt, Arth
Murray, Columbia Pictures (Har
and Jack Cohn), Louis Bernstei
Warner Bros. Pictures, Donald Flamn
Al Goodman, Jewish Theatrical All
ance, William Morris, family of th
late Sol Brill, Lou Brecher, Jac
Goetz, Harry Goodman, Mrs. Benn
Goodman, Louis Frisch, Sam Rinzle
Carole Saxe.

# *'Polygamy' Banned; Hays Office Vetoe*

For the first time in five years, th
State Board of Regents yesterda
overruled a Will Hays purity se
by disapproxing "Polygamy," a fil
dealing with a multi-wife religious cu
in Utah.

The decision sustained a veto of th
state's censors headed by Irwin Es
mond. It marks the initial setbac
suffered by an American film sinc
Joseph I. Breen joined the Hays of
fice as official sanctioner.

The decision is called remarkable i
that New York censors specially note
that none of its scenes are offensive.

Irene Dunne · Fred MacMurray
in
"INVITATION to HAPPINESS"
with
CHARLIE RUGGLES · William Collier, Sr. · Billy Cook
Produced and Directed by **Wesley Ruggles**

Paramount
IRENE DUNNE · FRED MACMURRAY
INVITATION TO HAPPINESS

# Broadway BOOM!

**"INVITATION TO HAPPINESS" —now packing 'em in at the New York Paramount to the tune of the best business on Broadway . . . running neck and neck with that record-breaking hit of hits, "Union Pacific"!**

## BIG BUSINESS!

That's what Paramount's giving exhibitors from coast to coast as "Midnight", "Union Pacific" and now "Invitation to Happiness" pile up terrific grosses . . . and "Man About Town", "The Magnificent Fraud" and "The Star Maker" are on the way!

# No Television Peril Visioned For Theatres

Theatres should have no immediate fears from the competitive encroachment of television, which is still in its swaddling clothes.

This conviction was expressed yesterday in a letter which W. J. Merrill, assistant to President George J. Schaefer of RKO, sent to George Gold, president of Allied Theatre Owners of New Jersey.

Gold recently protested to Schaefer over the use of "Gunga Din" for television, charging it provided competition for regular theatres.

Mr. Merrill's letter follows in part:

"Some months ago a trailer on 'Gunga Din' was used in San Francisco for experimental television tests. Such use, rather than being competitive with any theatre, was an experiment with a new medium of exploitation for feature product. We have made no arrangements for the furnishing of films for television. . . .

"At the present time we do not know of any case where a theatre in this country is equipped to project television pictures, and inasmuch as we understand that less than 1,000 home sets have been sold in the Metropolitan area since the official beginning of telecasts, the present outlook of a threat to motion picture theatres seems very small, indeed."

Since President Lohr of NBC has estimated that it will be at least five years before chain telecasting will be possible, "we do not feel apprehensive at the present time of encroachment of television on the motion picture theatre," stated Merrill.

## *Bigger Film Taxes In China Forecast*

Additional taxes may be levied soon on films in the Chinese market, Leon Britton, RKO Far Eastern manager, declared yesterday upon his arrival on the *Normandie.* The new imposts will probably take the form of import duties, Britton said.

Japan has restricted American companies to the seacoast cities and easily accessible towns in the interior. However, in such localities where business is permitted, grosses have been holding up well, he reported.

Britton came to New York for the RKO convention. With him were Ralph Hanbury, RKO manager for the United Kingdom, William Levy, Walt Disney's European representative, and W. Feignoux, assistant to Levy. All will remain in New York for the convention and then go to the coast.

## *Plan K. C. Television*

KANSAS CITY, June 12.—First National Television, Inc., operated by KITE, will have television programs on the air within eight weeks, according to the station. Jenkins Music Co. and Stromberg-Carlson have demonstrated television receiving sets to dealers and others here.

## *Settle Plagiarism Suit*

Plagiarism suit for $250,000 damages by Gerald K. Rudulph against Columbia Pictures Corp. has been settled in U. S. District Court.

# BANNER LINES

By JACK BANNER

**KING AND QUEEN TELEVISED 136 MILES AWAY** . . . The generally accepted theory is that television is limited to a receiving distance of about 40 miles because television impulses do not follow the curvature of the earth and are drawn to the ground at horizon distance. Occasionally this theory is defied, however, and no one knows the explanation for it. A notable example is the reception here of BBC telecasts.

Saturday, General Electric set up receiving apparatus in a barn 15 miles outside Albany, and about 136 miles from New York. With a score of farmers as onlookers, they tuned to NBC's television wavelength and received perfect pictures of the World's Fair visit of King George and Queen Elizabeth. The G-E receiver derived its power from a small gas-driven generator, and four poles covering a diamond-shaped space of some 400 feet, served as the directive antenna.

▼

**A NEW CHANGE AT NBC** . . . Places the publicity, information and short wave divisions into the Department of Information. Another new edict places the sales promotion division under the supervision of Clay Morgan. All four of the departments, except short wave, were formerly operated under the direction of Wayne Randall, now on vacation for his health.

▼

**HILL BLACKETT, GOP COMMITTEEMAN** . . . Hill Blackett, president of Blackett-Sample-Hummert, has been named Republican National Committeeman, succeeding the late George F. Harding. Blackett handled the radio broadcasts for the Landon campaign in 1938. Blackett's partner, Frank Hummert, is a New Dealer.

▼

**PERSONALS** . . . Johnny Green, radio maestro, right after his broadcast tonight, flies to Halifax where he will be soloist and guest conductor at the farewell ball tomorrow for the King and Queen of England. . . . Max Marcin, script writer of the skits in the Philip Morris programs, has been renewed for another 13 weeks by the Biow agency. . . . Charles Kenny, brother of Nick, will be married to Joy Hathaway in Vancouver next week. . . Fred Waring is tendering a press cocktail party Thursday in the Rainbow Grill. . . . Jack Shannon, CBS singer, receives a B.A. degree from Manhattan College tonight.

▼

**CEL-RAY FROM BENAY** . . . Blond Benay Venuta, who started a new WOR program yesterday for Cel-Ray soda, sent the press four bottles of her sponsor's product. The hot pastrami sandwiches are awaited.

▼

**KYSER DOUBLES ON WOR** . . . Kay Kyser's "College of Musical Knowledge" broadcast over NBC tomorrow will be repeated over WOR the following night via Miller Tape method, a new process of transcribing on film. The setup is rather vague, but it is believed that the deal is for the one program only, as a test of the Miller Tape system. There is nothing novel about such an arrangement, other than the fact that it is a new idea of transcribing by film. A whole block of Blackett-Sample-Hummert network programs are repeated by transcription on WMCA, and WHN carries a number of network shows simultaneously with the New York stations of the webs. However, if the Miller Tape system proves itself successful in the WOR test, a vast new market for film will be opened.

▼

**RADIO GUIDE WINNERS** . . . Radio Guide on Thursday will make known the winners of its annual "Star of Stars" election. The winner, we can tell you, is Nelson Eddy, with Jessica Dragonette as runner-up.

▼

**WMCA HONORED** . . . Col. Francis Vigo post, American Legion, yesterday honored WMCA by presenting a gold medal to the station in appreciation of its activities "in behalf of Americanism." Board members of the post include Gov. Lehman, Lieutenant-Governor Poletti, Judge Cotillo and Attorney General Bennett.

## *Acquisition of CBS Stock Is Reported*

WASHINGTON, June 12.—Acquisition in April of 400 shares of CBS Class A stock by Joseph A. W. Iglehart, New York, director, bringing his holdings to 2,600 shares, was reported by the Securities and Exchange Commission over the weekend.

Also reported was the acquisition of 200 shares of Class A stock by Harry C. Butcher, Washington, vice-president.

## *$60,000 Transmitter*

SAN FRANCISCO, June 12.—Construction has begun at Alviso, on southern end of the bay, for erection of new $60,000 transmitter for KQW, San Jose. Station expects equipment to be ready by September 1, when power goes up to 5,000 watts.

## *10 New Accounts Signed Up by WHN*

WHN has signed 10 new accounts in the past 10 days. Business includes a year's renewal for Home Diathermy; renewal for 13 weeks of the Metropolitan Insurance Co. show with Edwin C. Hill; a new contract for Air Conditioning Institute; two participations in the Polly Shedlove programs; Federal Life and Casualty Co. contract for participation in the Zeke Manners and Art Green programs, and spot contracts for Postal Telegraph, Renault Wines and I. J. Fox.

## *New Mills Series*

General Mills has signed to sponsor a new script series, "Caroline's Sunshine Store," over a split NBC network of nine stations. Blackett-Sample-Hummert is the agency.

# F.C.C. Facing Congress Ban On Censorship

WASHINGTON, June 12.—Failure o the Federal Communications Commission to rescind its "culture program' order for international broadcasti stations will result in the enactment by Congress of legislation more drastically restricting the commission from censorship, it was warned today by Senator Wheeler of Montana.

Chairman of the Senate Interstate Commerce Committee in charge o radio legislation, Senator Wheeler declared that the order might be construed even to keep Senators from making speeches over the internationa stations if some authority considered that their addresses would not contribute to the "goodwill" of foreign countries.

The Senator disclosed that the commission has received a number of requests for a hearing on the order and expressed the hope that it would gran one and modify its rule.

"This is a form of censorship which Congress never contemplated when i passed the law, but, on the contrary specifically provided there should be no censorship," he said.

Wheeler's attitude was commended by Senator Johnson of California, who told the Senate "we want no censorship of any sort in this country."

## *Loew's in Columbus Watch RKO's Duals*

Loew's are watching developments in Columbus, O., where RKO firs runs have gone to double bills, before deciding whether to put its two first runs there on the same policy.

RKO's Palace and Grand started double billing last Friday which is an innovation for these houses. The circuit has closed the Majestic.

Loew's Ohio and Broad, the only other first runs in Columbus, remain on a single bill policy.

## *Steffes to Close House*

MINNEAPOLIS, June 12.—W. A (Al) Steffes will close his World Theatre June 17 due to inability to get suitable pictures, he said. The theatre has been showing foreign and other films.

## *Newest Radio Boon Aids War on Crime*

**Cincinnati, June 12.—Facsimile-equipped police cruisers are seen as a possibility here with announcement by James D. Shouse, vice-president, Crosley Corp., that his company plans to install experimental facsimile receiving sets in police patrol cars, thus enabling squad car men to receive printed descriptions, pictures and finger prints. In recent preliminary tests conducted by WLW to determine the practicability of facsimile as a law enforcement factor, Crosley engineers transmitted pictures and fingerprints as far as San Jose, Calif.**

# 0 New Films; Studios Work On 38 Others

Hollywood, June 12.—Forty-eight tures were before the cameras this ek, as 10 started and six finished. nty-five are being prepared, and are being edited.

Started were: "Blackmail," "These amour Girls," M-G-M; "Mr. Wong Chinatown," Monogram; "$1,000 a uchdown," "The World on Parade," ramount; "Heaven with a Barbed ire Fence," "The Adventures of erlock Holmes," 20th Century-Fox; andy Takes a Bow," Universal; n Your Toes," "The Dead End ds at Military School," Warners.

In addition to these, shooting were: Ir. Smith Goes to Washington," olden Boy," "Blondie Takes a Va- tion," "Coast Guard," "Criminal at rge," Columbia; "The Real Glory," ldwyn; "The Women," "A Day at Circus," "Babes in Arms," "Thun- Afloat," "Miracles for Sale," ady of the Tropics," "Ninotchka," hey All Come Back," M-G-M; he Star Maker," "Ruler of the as," "Our Leading Citizen," "Dou- d Dyed Deceiver," "Are Husbands cessary," Paramount; "Nurse Edith vell," "My Fifth Avenue Girl," KO; "Colorado Sunset," "Should sbands Work?" Republic; "A ump at Oxford," Roach; "Gone th the Wind," Selznick Interna- nal; "The Rains Came," "Here am a Stranger," "Falling Stars," 20th ntury-Fox; "The Underpup," lodern Cinderella," "Bright Vic- y," "I Stole a Million," "Desperate ails," Universal; "Dust Be My estiny," "The Knight and the dy," "Career Man," "The Return Dr. X," "Kid Nightingale," War- s.

Finished were: "Escape from Al- raz," Columbia; "Disputed Pass- ," Paramount; "Memory of Love," KO; "Elsa Maxwell's Hotel for omen," "The Chicken Wagon Fam- " and "Harmony at Home," 20th ntury-Fox.

## wo British Film Groups to Merge

London, June 12.—Merger of the m Production Employers' Federa- n and the Film Producers' Associa- n is scheduled at a meeting Wed- day.

The Producers' Association was viously the Film Group of the Fed- tion of British Industries, producer ganization of long standing which rganized recently in an effort to nulate lagging interest of mem- s.

## Rites for Owen Moore

Beverly Hills, Calif., June 12.— neral services were held today for en Moore, first husband of Mary kford and one of the brightest stars the silent film era. He died Fri- of a heart ailment.

## Royalty to See 'Fury'

"Captain Fury," Hal Roach-United tists film, will be shown to King orge VI and Queen Elizabeth on *Empress of Britain* during their urn trip to England.

# Hollywood Review

## "It Could Happen to You"

*(20th Century-Fox)*

Hollywood, June 12.—The showmanship worth of this exploitable title is supplemented by a soundly constructed human interest story. But for a few episodes in which drinking and drunkenness are excessively accentuated, "It Could Happen To You," adapted by Allen Rivkin and Lou Breslow from Charles Hoffman's original, would be almost criticism-proof. David Hempstead and Alfred Werker produced and directed. A capable cast is very convincing.

Everything that happens in the piece might or possibly could happen to almost everybody, either directly or within the scope of immediate experience. Thus the story has an aura of reality which is made all the more appealing by the natural manner in which it is presented.

Stuart Erwin, ad company employe, is too kind hearted and considerate for his own good. While a rival employe, Douglas Fowley, capitalizes on Erwin's ideas, his wife, Gloria Stuart, tries to prod him into doing things for himself. Up to the time Erwin attends a party given by his boss, Raymond Walburn, where he wins some recognition, the show has all the earmarks of domestic comedy.

Then following a spree and the finding of a woman's body in Erwin's car, the film turns melodramatic. Arrested, deserted by his fair weather friends, Erwin pictures himself as on the way to the electric chair until his wife takes a hand. She, turning detective, ferrets out the real killer, establishes her husband's innocence, and, of course, causes Walburn to appoint him to an executive job.

Running time, 65 minutes. "G."* G. McC.

---

*"G" denotes general classification.*

## Market Returning To Normal in Spain

Spanish market is rapidly returning to normalcy and a return to pre-civil war conditions for American film companies may be expected shortly, Reginald Armour, general European manager for RKO, predicted yesterday. RKO has set up 10 regional offices in Spain within the past month and is already arranging product deals.

Headquarters have been established in Barcelona with Antonio Blanco in charge. At present, Spain is still using the old product, but despite the age of the films, theatre business there is on the upgrade. Problem of getting currency out of Spain is still being negotiated, he said.

The general situation in Europe is still unsettled according to Armour. Production on the continent has fallen off somewhat because of the difficulty of obtaining capital. Only American films have been able to assure continuity of supply and they are profiting as a result.

## Warner Deal with Circuit

Warner Bros. has closed a deal with the Wilmer and Vincent Theatres, whereby the circuit of 18 houses will play the entire lineup of Warner Bros.-First National Pictures for 1939-40 season. Carl Leserman, assistant general sales manager, announced yesterday. The contract was signed by Roy Haines, Robert Smeltzer and W. G. Mansell for Warners, and by Joseph Eagan and Frank Fowler for the circuit.

## Drama Guild Meeting

Dramatists Guild council will meet tomorrow afternoon to vote on proposed modifications to the minimum basic agreement which permit the purchase of film rights in advance of production of legitimate plays. Approval of the modifications is expected.

## Mexico Theatres In Tribute to Flier

**Mexico City, June 12.—All film houses here and in most of Mexico were closed during the matinee period today in respect to Francisco Sarabia, "Lindbergh of Mexico," who was killed while taking off at Washington for a return flght here. The funeral was held here today.**

## Paramount May Go Back to Legit Field

Paramount may reenter Broadway legitimate stage production if pending negotiations for modification of the Dramatists Guild pact are successful, John Bryam, head of Paramount's play department, declared yesterday on his return from England on the *Normandie.* Bryam stated that he had spent some time viewing English plays and was considering a number of them, but added that no deals had been closed.

# 'World' Gets Fair $17,000 Philadelphia

Philadelphia, June 12.—Best comparative figure was the $17,000 at the Fox for "It's a Wonderful World," with a variety show on the stage. "Union Pacific" got $2,800 at the Arcadia.

Estimated takings for the week ending June 8:

**"Union Pacific" (Para.)**
ARCADIA—(600) (25c-40c-57c) 7 days, 2nd run. Gross: $2,800. (Average, $2,800)

**"Juarez" (W. B.)**
BOYD—(2,400) (32c-42c-57c) 7 days, 2nd week. Gross: $13,000. (Average, $14,000)

**"Missing Daughters" (Col.)**
EARLE—(2,000) (26c-32c-42c) 7 days. Gross: $5,000. (Average, $8,000)

**"It's a Wonderful World" (M-G-M)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days. (6 days stage) Stage: Cass Daley, Weire Brothers, Chaney and Fox. Gross: $17,000. (Average, $16,000)

**"Wuthering Heights" (U. A.)**
KARLTON—(1,000) (25c-42c-57c) 7 days, 2nd run, 2nd week. Gross: $3,000. (Average, $4,000.)

**"Dark Victory" (W. B.)**
PALACE—(1,000) (26c-42c) 7 days, 3rd run. Gross: $4,500. (Average, $4,500)

**"Ex-Champ" (Univ.)**
STANTON—(1,700) (26c-32c-42c) 6 days. Gross: $3,500. (Average, 7 days, $7,000)

## New Bank Night Test Case Looms in Ohio

Troy, O., June 12.—C. F. Pfister, manager of the Troy Amusement Co., operating the Mayflower here, has been arrested on a warrant filed by a citizen, and charged with promoting a game of chance in connection with Bank Night, conducted at this theatre for more than two years. It is expected to make this another test case for Ohio on the legality of Bank Night.

## Current RKO Comedy Schedule Completed

Hollywood, June 12.—RKO has completed its 1938-'39 schedule of 24 two-reel comedies. Bert Gilroy, head of the comedy production unit, is preparing for the new season product.

The current season's program included six Leon Errol comedies, six Edgar Kennedy subjects, four singing cowboy films starring Ray Whitley, four Radio Headlines and four Radio Flashes.

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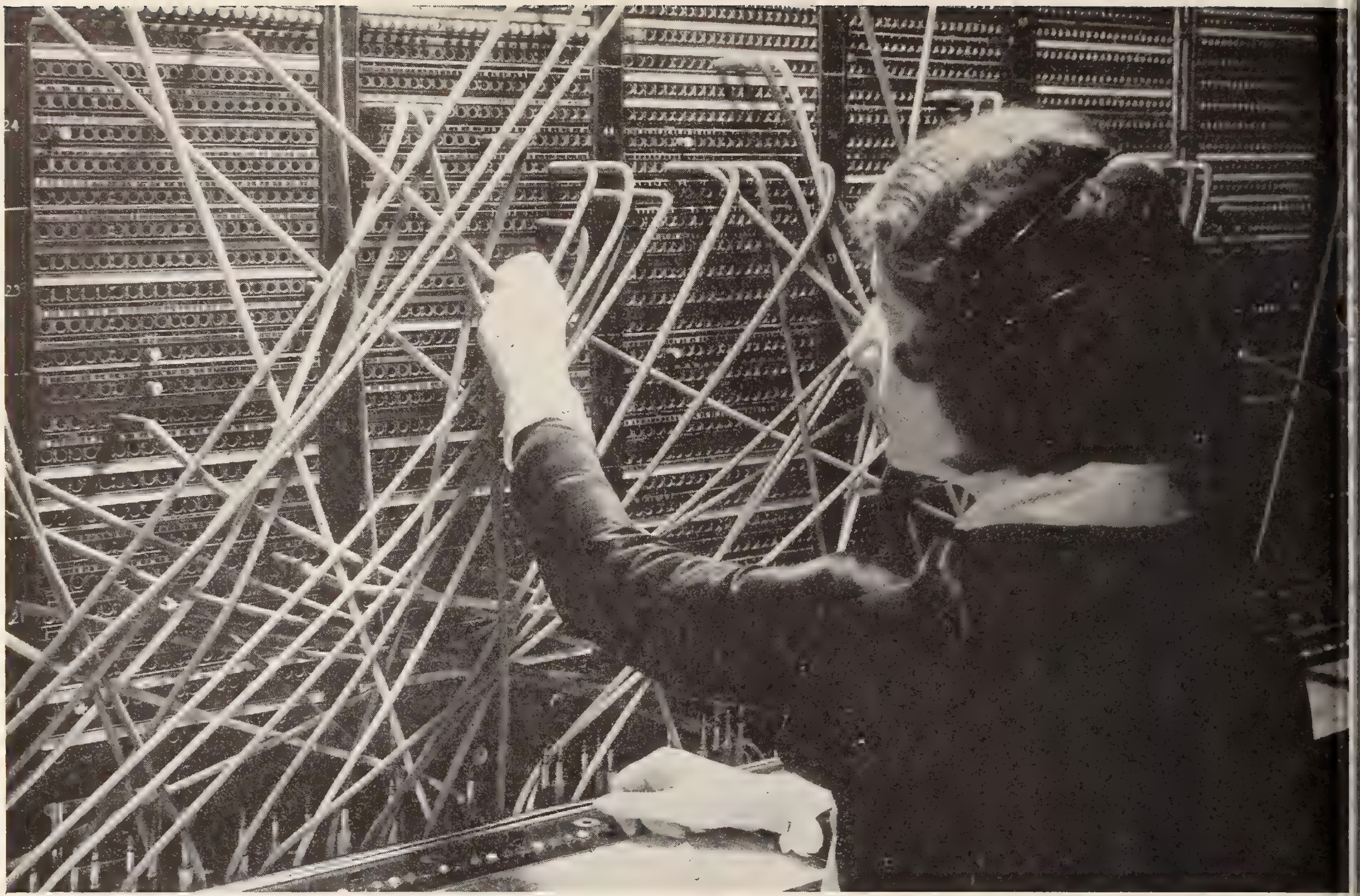

# CALIFORNIA CALLING!
# LISTEN AMERICA!

**"Sensational preview of 'ANDY HARDY GETS SPRING FEVER' at Huntington Park last night. Ecstatic audience concensus of opinion that this is overwhelmingly greatest Hardy box-office smash of all!"**

(M-G-M to the rescue as the thermometer soars. "MAISIE" is a daisy. Harrisburg and Providence engagement great! "TARZAN FINDS A SON" a wow! Watch this week's openings! "ON BORROWED TIME' is the talk of the West Coast! "GOODBYE MR. CHIPS" terrific in Dayton, Columbus, Cleveland, the firs spots outside of New York and Los Angeles to play it! And now comes "ANDY HARDY GETS SPRIN FEVER"! Remember this: when a feller needs a friend there's always THE FRIENDLY COMPANY!)

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First in Film and Radio News Brief, Accurate and Impartial

.. 45. NO. 114. NEW YORK, WEDNESDAY, JUNE 14, 1939 TEN CENTS

# FM Votes New Ban on Recordings

## ecision Hits Discs With Commercial Blurbs

By KENNETH FORCE

Kansas City, June 13.—Union sicians hereafter will not be per- tted to make transcriptions or re- dings which contain commercial nouncements nor will they be per- tted to make recordings which are be used as accompaniment by or actors, according to a resolution pted today at the annual conven- n of the American Federation of usicians now in session here. Only special permission of the executive ard will such work be allowed.

The resolution is aimed, it is pre- med, at the operators of "Opera on ur," Vode-Vision, and recording mpanies which have attempted to ke and market phonograph record- s containing commercial blurbs. pera on Tour" and Vode-Vision re two efforts to place live talent the stage to the accompaniment of nned" music.

### Unemployment Changes

Another resolution passed at the vention was that the Federation rk for the amendment of the social urity act, so that one or more ployees instead of the present eight l be covered by unemployment in- ance.

Among resolutions presented to the eting, on which action has not yet en taken, are one recommending t the A.F.M. buy outright all music ned by publishers, composers and thors who are willing to sell at a ce set by the A.F.M., provided it is proved by a committee of the feder- on.

### Closed Shop in Hotels

Also, that all music be tax free to radio stations, theatres, night clubs, ., and all individuals who employ eration members in good standing.

Another would force hotels to ac- pt a closed shop policy, and deny deration members permission to ve in any hotel employing non- ion orchestras.

The federation also is asked to commend the settlement of difficul- s between the A. F. of L. and the I.O., with a copy of the recom- endation going to William Green d John L. Lewis.

## Neely Vote June 21

**Washington, June 13.—The Neely block booking bill will be brought before the Senate for consideration on June 21, Senator Neely announced today.**

# Tax Changes Fail to Please British Reels

London, June 13.—Newsreel chiefs here expressed themselves as being "utterly disappointed" at the amendments to the budget of Sir John Simon, Chancellor of the Exchequer, which were submitted to the House of Commons today. It is estimated the newsreels will now pay an aggregate tax of approximately $425,000 annually.

The amendments provide a rebate of three pence per square foot on stock used for newsreel prints. Imported single prints not used for duplicating and presumably for specialized theatres will pay two pence instead of six pence.

Several negatives for color films will count as a single negative. The proposed amendments make no concession on ordinary film prints or imports. There is no concession on news

(Continued on page 2)

# ALLIED TO ACCEPT CODE WITH SOME REVISIONS, BELIEF

## Pact Biggest Topic Before Convention; Arbitration Clauses Fair—Myers

By SHERWIN A. KANE

Minneapolis, June 13.—That Allied States will accept the proposed industry trade practice code with reservations appeared to be the sentiment of approximately 225 delegates assembled at the Nicollet Hotel today for the opening of Allied's tenth annual convention.

Indications are that demands will be made for certain changes in the code's provisions and that even with its conditional approval, Allied will not relinquish its campaign for industry regulation by legislation and litigation.

In fact, H. A. Cole, Allied presdent, said in his opening address to the convention that continued activity on behalf of the Neely bill is "essential." He predicted passage of the bill within a year.

Answering opponents of the measure, he defended whatever aspects of Government regulation of the industry may be inherent in the Neely bill.

Indication of the changes or additions to the trade practice code which Allied may demand as the price of its approval are to be found in an official statement in the convention program, headed "Allied's Creed for Protection."

The statement asserts Allied seeks formation of a national appeal board consisting of an equal number of distributors and independent exhibitors to hear appeals from rulings of local arbitration boards in contract cases and to have original jurisdiction in matters of general importance.

### Vital Problems Listed

It will ask that problems to be dealt with include the following: Compulsory block booking, unreasonable protection, undue theatre expansion, the "right to buy," contract revision, designated play dates, unfair allocations, non-delivery of pictures and radio competition.

In its present form the code does not make provision for treatment of all of these nor does it propose formation of a national appeal board. Other changes or additions to the code may be made as a result of the open forum tomorrow and other convention deliberations, most of which concern the code.

### Instructed Upon Code

The first convention session this afternoon was turned over to "educational" discussion of code with Sidney Samuelson, New Jersey national director, and Nathan Yamins, New England director, reading the final pact by sections and explaining or answering questions. The session was purely instructive and delegates were advised not to arouse controversies but save those for the open forum tomorrow.

Allied's final stand on the code, of course, will be determined by the

(Continued on page 7)

## Bill Legalizing Fight Pictures Is Passed

Washington, June 13.—The Senate today passed without debate the Barbour bill, introduced by Senator Barbour of New Jersey. It provides for repeal of the 1912 law prohibiting the interstate transportation of fight films.

# 'Land of Liberty' Hailed; 125 Films Knit Into One

By JACK BANNER

"Land of Liberty," a 14-reel mosaic made up of thousands of scenes from feature motion pictures, short subjects, newsreels and commercial films, was given its press preview yesterday in the United States Building at the World's Fair where, starting tomorrow, it will be shown on a continuous basis free of charge to Fair visitors.

The film is sponsored by the M. P. P. D. A., and is the work of the entire picture industry.

A remarkably cohesive document for all of the 125 different pictures and shorts which have gone into its making, the film graphically traces the evolution of America from an uncharted wilderness to its present eminence as the leading nation of the world.

No American seeing it will be able to withhold pride in his Americanism and the achievements of his forebears because it possesses such stirring qualities.

Opening with an address by President Roosevelt at the rededication of the Statue of Liberty, the picture fades briefly to the Europe of some 400 years ago to show the intolerable conditions under which people lived, and thence rapidly to the Colonial days here. Thereafter the film becomes a rich tapestry of American history and people.

"Land of Liberty" was edited by Cecil B. DeMille, assisted by Herbert Moulton, William H. Pine and Francis S. Harmon. Narration was written by Jeannie MacPherson and Jesse Lasky, Jr. James T. Shotwell was historical consultant. Fifty-three studios contributed in the making of the picture.

# Russian Deals On U.S. Films Being Made

A deal is on between the Russian Government and Warners whereby "Confessions of a Nazi Spy" will be shown in the Soviet Union. Amkino, American agency for the Russian film industry, has asked Warners to send a print to Russia for the inspection of officials there.

The Russian industry purchases a negative and makes its own prints and handles its own distribution. It has not bought an American film in several years.

"Young Mr. Lincoln," 20th Century-Fox film, is also considered a good subject for Russia by Amkino, and the agency plans to recommend it to Moscow for a possible deal.

Negotiations on Walt Disney's "Snow White and the Seven Dwarfs" have been underway with RKO, but have not progressed far because of the price question.

The Russian industry's purchases here have been curtailed especially with regard to film equipment. The United States formerly was the chief source of equipment for Russian studios. Equipment is now being manufactured in Russia. Amkino is still buying large quantities of raw stock from Eastman and DuPont.

## *'Happiness' Tallies $42,000 First Week*

First week of "Invitation to Happiness" grossed an estimated $42,000 at the Paramount and is being held over. "Stolen Life" opens at the Rivoli today. "Goodbye, Mr. Chips" continued to hold up well at the Astor with an estimated $14,000 for its fourth week.

"Young Mr. Lincoln" at the Roxy, and "Juarez" at the Strand, will be held for three weeks. "Climbing High" grossed an estimated $3,500 at the Globe. "Mr. Moto Takes a Vacation" starts there Saturday.

## *W. E. Dividend*

Directors of the Western Electric Company yesterday declared a dividend of 35 cents per share on its common stock. The dividend is payable June 30.

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# *Purely Personal*

Barney Balaban, Paramount president, has returned to New York from the sales convention in Los Angeles.

●

Mrs. Howard Dietz sails on the *Normandie* today for a visit with relatives in England. Among other passengers are Jean Zay, French Minister of Education and author of the Zay bill for control of the French film industry; Mrs. Freeman Gosden and son, Freeman; Margot Grahame and her husband, Allan A. Martin, Montreal financier, and Bruno Lessing.

●

Peter Colli, Warner supervisor for Cuba, Mexico, Central America and Peru, arrived yesterday for a vacation.

●

Richard Rowland, producer, is in town.

●

Cary Grant leaves today on the *Normandie* for a visit with relatives in England. He has just finished "The Kind Men Marry" at RKO.

●

Pat O'Brien, Warner star, has been selected as the "typical American father" by the National Father's Day Committee.

●

Francis Falkenburg, manager of the Alabama in Birmingham, is convalescing from a recent operation.

●

Fred Gregor, Majestic, New Waterford, Nova Scotia; Leonard Noerr, Regal, Suva, Fiji Islands, and Edward Ellis, RKO actor, were visitors yesterday at the RKO lounge.

●

Lee Tracy will pilot his sloop, *Adore,* in the California-to-Honolulu yacht race which starts from San Francisco July 4. In his crew will be Dick Powell.

●

Jeffrey Lynn has been given a new term contract by Warners.

Joseph M. Schenck, Darrly F. Zanuck and William Goetz, who have been conferring here, plan to leave for the coast in a day or two.

●

Joseph Schloss has succeeded Harry Feldman as manager of the Waldorf.

●

Andrew Stone, Paramount director, is New York-bound on a week's talent scouting expedition.

●

Tito Guizar, singing star, is considering a $25,000 offer for a concert tour of the Philippines.

●

Miles F. Gibbons of the eastern production department of Paramount, is ill at St. Lukes Hospital.

●

William Rogers, Harold Franklin, Charles E. McCarthy, William Brandt, Edward Saunders, Tom Connors lunching at Nick's Hunting Room in the Astor yesterday.

●

Joseph McConville, Jack Segal, Harry Gold, William German, Arthur Lee, William Fitelson among those at Bob Goldstein's Tavern for lunch yesterday.

## *U. S. Summons B-K Executives at Trial*

Chicago, June 13.—The Federal government has subpoenaed exchange managers and Balaban & Katz circuit executives to appear before Master in Chancery Edgar Eldredge on June 22 at the hearing in the government's suit against B. & K. and the majors.

## *Patriotic Screening*

In connection with patriotic organizations' observance of Flag Day, M-G-M will screen "Yankee Doodle Goes to Town" at noon today for the D. A. R., Y. M. C. A., Boy Scouts of America, Boys Club of America and representatives of the New England Federation of Women's Clubs.

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# Tax Changes Fail to Please British Reel

(*Continued from page 1*)

film imported, but not used unless th film is destroyed.

Sir Gordon Craig, executive dir tor and general manager of Bri Movietone News, declared newsre profits are still impossible under th amended budget. He said the Chan cellor of the Exchequer has had news reel balance sheets and knows the in come tax figures, and thus must kno that the tax is uneconomic.

Trade meetings to discuss the ta situation are scheduled by the news reel association tomorrow, and th Cinematograph Exhibitors' Associa tion and Kinematograph Renters' So ciety (distributors) Thursday.

## *Kent to Trinidad; Returns June 2*

S. R. Kent, president of 20th Cen tury-Fox is due back in New Yor June 26 after attending the company South American convention in Rio d Janeiro and the Central American co vention in Trinidad for one day.

Kent and Walter J. Hutchinson, d rector of foreign distribution, sa from Rio de Janeiro today for Trin dad. Hutchinson will remain there f the three days of the meeting, Ju 21 to 23, and is due back here earl in July.

## *'Chips' Air Symposium*

Motion Picture Committee of th Department of Secondary Educatio National Education Association, se lected "Goodbye, Mr. Chips," as th subject of its first radio symposiu over WNYC Monday. Chief speake was Dr. John Edward Dugan o Princeton High School, who prepare a guide to the film published by Edu cational and Recreational Guides, In

## *B. & K. Dividends*

Chicago, June 13.—A dividend o 75 cents on common stock and th regularly quarterly dividend of $1.7 on preferred stock, payable June 3 were declared today by Balaban & Katz. The last disbursement was 50 cents dividend on common stock o March 30.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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# "HELLO MAISIE!

I hear you knocked 'em for a loop in the premieres at Harrisburg and Providence. I guess you're the big box-office noise right now!"

# "HELLO TARZAN!

That goes for both of us. Wait 'till you open your big show at the N.Y. Capitol today and in Toledo and Wilmington tomorrow! I'll bet the gals will want to feel those muscles, Big Boy!"

**TARZAN FINDS A SON!**
starring the one and only
**JOHNNY WEISSMULLER**
Maureen O'Sullivan, John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day • Screen Play by Cyril Hume • Based upon the Characters Created by Edgar Rice Burroughs • Directed by Richard Thorpe • Produced by Sam Zimbalist

**MAISIE**
**The Explosive Blonde**
with Robert Young, Ann Sothern
Ruth Hussey, Ian Hunter, Cliff Edwards
Screen Play by Mary C. McCall, Jr.
Directed by Edwin L. Marin
Produced by J. Walter Ruben

**FLASH AT PRESS TIME!**

Two more M-G-M previews on West Coast are sensational. "ON BORROWED TIME" and "ANDY HARDY GETS SPRING FEVER" continue M-G-M's streak of box-office hits!

**COOL THOUGHTS FOR HOT DAYS FROM M-G-M!**

*Now* AT RADIO CITY M

*and* **GENERAL RELEASE JUNE 9**

*Drama of Death at the Outposts of Life!*

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SAGA OF THE RANDOLPHS ...
TURNING THE KEY TO AN EMPIRE
... UNLOCKING A WOMAN'S HEART!

*starring*
**DOUGLAS FAIRBANKS JR.**
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D'OYLY CARTE CHORUS AND A CAST OF HUNDREDS
Recorded by the LONDON SYMPHONY ORCHESTRA · Adapted, Conducted and Produced by GEOFFREY TOYE · Directed by VICTOR SCHERTZINGER

R BOOKING IN 50 KEY CITIES!

# 'Only Angels' Pulls $10,300 In Twin Cities

MINNEAPOLIS, June 13.—Top grosser for the week in Minneapolis was "Only Angels Have Wings" which brought $6,100 to the Orpheum. "Lucky Night" at the State was good for $5,100.

In St. Paul, "Wings" again was the leader, getting $4,200 at the Orpheum.

Estimated takings for the week ending June 8:

### *Minneapolis:*

**"You Can't Get Away with Murder" (W.B.)**
**"Panama Lady" (RKO)**
**"Romance of the Redwoods" (Col.)**
**"Code of the Secret Service" (F. N.)**
ASTER—(900) (15c-25c) 7 days, split week. Gross: $2,300. (Average, $1,500)

**"The Hardys Ride High" (M-G-M)**
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,200. (Average, $4,000)

**"Tell No Tales" (M-G-M)**
GOPHER—(990) (25c) 7 days. Gross: $2,300. (Average, $2,500)

**"Only Angels Have Wings" (Col.)**
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $6,100. (Average, $4,800)

**"Lucky Night" (M-G-M)**
STATE—(2,300) (25c-40c) 7 days. Gross: $5,100

**"Lie of Nina Petrovna" (Foreign)**
**"Wolf Cry" (Mono.)**
WORLD—(400) (25c-55c) "Nina," four days; "Cry," 3 days. Gross: $600. (Average, $1,400)

### *St. Paul:*

**"Only Angels Have Wings" (Col.)**
ORPHEUM—(2,000) (25c-40c) 8 days. Gross: $4,200. (Average, $3,200)

**"Lucky Night" (M-G-M)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $3,500. (Average, $4,000)

**"Return of the Cisco Kid" (20th-Fox)**
RIVIERA—(1,000) (25c) 7 days. Gross: $2,100. (Average, $1,800)

**"Blackwell's Island" (W. B.)**
**"Almost a Gentleman" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,900. (Average, $1,500)

**"Flight Into Darkness" (Foreign)**
WORLD—(400) (25c-35c) 7 days. Gross: $600. (Average, $700)

# 'Mikado' Capital Hit with $13,800

WASHINGTON, June 13. — "Only Angels Have Wings," "The Mikado" and "Rose of Washington Square" were the best bets. The first did $22,500 at Warners' Earle, the second, $13,800 at RKO-Keith's and the third, $16,000 at Loew's Palace. The royal visit helped.

Estimated takings for the week ending June 8:

**"Return of the Cisco Kid" (20th-Fox)**
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Novelties of 1939. Gross: $14,000. (Average, $16,500)

**"The Gorilla" (20th-Fox).**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days. Gross: $4,500. (Average, $4,500)

**"Rose of Washington Square" (20th-Fox)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $16,000. (Average, $12,000)

**"The Mikado" (Univ.)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. Gross: $13,800. (Average, $6,000)

**"Only Angels Have Wings" (Col.)**
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage: Command Performance. Gross: $22,500. (Average, $16,000)

**"Man of Conquest" (Rep.)**
WARNERS' METROPOLITAN — (1,591) (25c-40c) 2nd run, 7 days. Gross: $4,500. (Average, $4,000)

## *Date 'Juarez' in Mexico*

'Juarez' will open in Mexico City on June 23 at the Palacio de Bellas Artes, the next day going into the Rex for its regular run. It will open at the Campoamor in Havana on June 26.

## *Fans—or Else!*

**Bloomington, Ill., June 13.—Projectionists at the Irvin walked out the other evening and the management had to refund admissions.**

**The operators complained of bad ventilation, demanding additional electric fans in the booth. The next day more fans were installed and the show went on as usual.**

# 'Juarez' Tops Heat in Loop With $35,600

CHICAGO, June 13.—"Juarez" was the outstanding attraction in the Loop, with $35,600 at the Chicago in an otherwise dull week. "Confessions of a Nazi Spy" did $9,000 in the second week at the Roosevelt. Excessive heat hurt grosses.

Estimated takings for the week ending June 7-10:

**"The Gorilla" (20th-Fox)**
APOLLO — (1,400) (35c-55c-75c) 7 days. Gross: $4,500. (Average, $6,500)

**"Juarez" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $35,600. (Average, $32,000)

**"Rose of Washington Square" (20th-Fox)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $5,000. (Average, $6,500)

**"They Made Her a Spy" (RKO)**
**"For Love or Money" (Univ.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,300. (Average, $13,000)

**"Mikado" (Univ.)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $14,600. (Average, $19,000)

**"Confessions of a Nazi Spy" (W. B.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average, $11,000)

**"Sergeant Madden" (M-G-M)**
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $10,400. (Average, $12,000)

## *'Juarez' at $8,200 In New Haven Heat*

NEW HAVEN, June 13.—"Juarez" and "Sorority House" weathered the heat to reach $8,200 at the Roger Sherman. Second week of "Only Angels Have Wings" and "Society Lawyer" at the College took $2,600.

Estimated takings for the week ending June 8:

**"Only Angels Have Wings" (Col.)**
**"Society Lawyer" (M-G-M)**
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,600. (Average, 2,700)

**"Man of Conquest" (Repub.)**
**"Calling Dr. Kildare" (M-G-M)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $5,500. (Average, $8,000)

**"Gracie Allen Murder Case" (Para.)**
**"Woman Doctor" (Repub.)**
PARAMOUNT—(2,348) (35c-50c) 8 days. Gross: $3,000. (Average, $4,000)

**"Juarez" (W. B.)**
**"Sorority House" (RKO)**
ROGER SHERMAN—(2,200) (35c-50c) 8 days. Gross: $8,200. (Average, $4,700)

## *Autry to Tour England*

Gene Autry, Republic western star, is scheduled to make a personal appearance tour of England in about a month. He will be gone six weeks. William Saal, Republic special representative, who sailed recently to prepare for the London premiere of "Man of Conquest," will lay the groundwork for Autry's tour.

# 'Heaven' at Seattle Takes Good Gross

SEATTLE, June 13.—"East Side of Heaven," dualed with "Ambush" at the Paramount, cleared a good $7,900, in a week of cool and rainy weather.

Estimated takings for the week ending June 9:

**"Lucky Night" (M-G-M)**
**"Secret Service of the Air" (W. B.)**
BLUE MOUSE—(950) (30c-40c-55c) 6 days, 3rd week. Gross: $3,400. (Average, $4,000)

**"Juarez" (W. B.)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 7 days. Gross: $7,200. (Average, $7,000)

**"Only Angels Have Wings" (Col.)**
LIBERTY—(1,800) (20c-30c-40c-55c) 7 days, 4th week. Gross: $5,300. (Average, $5,000)

**"The Mikado" (Univ.)**
MUSIC BOX—(950) (30c-40c-55c) 7 days, 2nd week. Gross: $5,200. (Average, $5,000)

**"Captain Fury" (U. A.)**
**"The Jones Family in Hollywood" (20th-Fox)**
ORPHEUM—(2,450) (30c-40c) 7 days. Gross: $6,300. (Average, $6,000)

**"On Trial" (W. B.)**
**"Wolf Call" (Mono.)**
PALOMAR — (1,500) (15c-25c-30c-40c) 7 days. Vaudeville headed by Hickey Bros. Gross: $5,000. (Average, $5,000)

**"East Side of Heaven" (Univ.)**
**"Ambush" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $7,900. (Average, $6,000)

**"Song of Freedom" (British Lion)**
UPTOWN—(750) (30c-40c) 7 days. Gross: $1,600. (Average, $1,500)

# 'Nazi Spy' Brings $8,500, Montreal

MONTREAL, June 13.—"Confessions of a Nazi Spy" at Loew's took $8,500. "Rose of Washington Square" registered $8,200 as the single feature at the Palace.

Estimated takings for the week ending June 9:

**"Lucky Night" (MGM)**
**"Women in the Wind" (W. B.)**
CAPITOL—(2,547) (25c-40c-55c-65c). Gross: $7,300. (Average, $8,000)

**"Confessions of a Nazi Spy" (W. B.)**
LOEW'S — (2,800) (30c-40c-60c). Gross: $8,500. (Average, $8,000)

**"Captain Fury" (U. A.)**
**"Strange Boarders" (British)**
ORPHEUM—(919) (25c-35c-50c) 2nd week. Gross: $2,300. (Average, $5,000)

**"Rose of Washington Square" (20th-Fox)**
PALACE—(2,600) (25c-40c-55c-65c). Gross: $8,200. (Average, $11,000)

**"Calling Dr. Kildare" (M-G-M)**
**"The Lady and the Mob" (Col.)**
PRINCESS — (2,272) (25c-35c-50c-65c). Gross: $3,000. (Average, $6,500)

## *'Kildare,' $12,500 Leads Kansas City*

KANSAS CITY, June 13.—"Calling Dr. Kildare" and "Streets of New York" gave the Midland $12,500. "Young Mr. Lincoln" took $6,300 at the Uptown and Esquire. "Juarez" did $7,600 at the Newman. The weather was warm.

Estimated takings for the week ending June 6-8:

**"Young Mr. Lincoln (20th-Fox)**
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,300. (Average, $3,000)

**"Calling Dr. Kildare" (M-G-M)**
**"The Streets of New York" (Mono.)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $12,500. (Average, $11,500)

**"Juarez" (W. B.)**
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $7,600. (Average, $7,000)

**"Young Mr. Lincoln" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)

## *F. P. Canadian Meeting*

TORONTO, June 13.—Annual managers' meeting of Famous Players Canadian Corp. is scheduled to be held for three days during the last week of July, or one month earlier than usual.

# Frisco Gives $15,000 Tally To'Ex-Champ

SAN FRANCISCO, June 13.—"E Champ" drew a good $15,000 at t Golden Gate. "The Mikado" to $8,500 at the United Artists. "Jua drew $13,000 in the second week the Fox.

Estimated takings for the week en ing June 6-9:

**"Ex-Champ" (Univ.)**
GOLDEN GATE—(2,850) (35c-40c-55c) days. Stage: Vaudeville. Gross: $15,0 (Average, $15,000)

**"The Eagle and the Hawk" (Para.)**
**"Star of Midnight" (RKO)**
ST. FRANCIS — (1,400) (15c-35c-40c-5 75c) 7 days. Gross: $5,400. (Avera $6,000)

**"Invitation to Happiness" (Para.)**
**"Bulldog Drummond's Secret Police" (Par**
PARAMOUNT -- (2,740) (15c-35c-40c-5 75c) 7 days. Gross: $10,000. (Avera $11 500)

**"The Mikado" (Univ.)**
UNITED ARTISTS—(1,200) (15c-35c-4 55c-65c) 7 days. Gross: $8,500. (Avera $8,000)

**"Juarez" (W. B.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 da 2nd week. Gross: $13,000. (Avera $16,000)

**"Confessions of a Nazi Spy" (W. B.)**
**"Some Like It Hot" (Para.)**
WARFIELD—(2,680) (15c-35c-40c-55c-7 7 days, 3rd week. Gross: $9,500. (Avera $12,000)

**"Only Angels Have Wings" (Col.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) days, 3rd week. Gross: $6,500. (Avera $8,000)

**"Baldevin's Wedding" (Scan. Talking)**
LARKIN—(390) (15c-35c-40c) 7 da Gross: $900. (Average, $1,000)

**"The Lady Vanishes" (G. B.)**
CLAY—(400) (15c-35c-40c) 7 days, 2 week. Gross: $800. (Average, $1,000)

# 'Angels' $13,500 Cincinnati's Bes

CINCINNATI, June 13. — "On Angels Have Wings" soared $13,500 at the RKO Albee in an othe wise dull week. "The Hardys Ri High" pulled $2,900 on its third dow town stanza at the RKO Grand.

Estimated takings for the week en ing June 7-10:

**"Only Angels Have Wings" (Col.)**
RKO ALBEE—(3,300) (35c-42c) 7 da Gross: $13,500. (Average, $12,000)

**"The Gracie Allen Murder Case" (Para.)**
RKO PALACE—(2,700) (35c-42c) 7 da Gross: $5,100. (Average, $10,000)

**"It's a Wonderful World" (M-G-M)**
RKO CAPITOL—(2,000) (35c-42c) 7 da 2nd week. Gross: $4,300. (Average, $6,500)

**"Some Like It Hot" (Para.)**
RKO LYRIC—(1,400) (35c-42c) 7 da Gross: $3,000. (Average, $5,000)

**"The Hardys Ride High" (M-G-M)**
RKO GRAND—(1,200) (25c-40c) 7 da 3rd week. Gross: $2,900. (Average, $2,750)

**"The Flying Irishman" (RKO)**
**"Code of the Streets' (Univ.)**
RKO FAMILY—(1,000) (20c-30c) 4 da Gross: $1,100. (Average, $1,100)

**"Panama Patrol" (G. N.)**
**"Outside These Walls" (Col.)**
RKO FAMILY—(1,000) (20c-30c) 3 da Gross: $800. (Average, $900)

**"The Lady's from Kentucky" (Para.)**
KEITH'S—(1,500) (30c-40c) 7 days. Gros $4,400. (Average, $6,500)

## *Set Benny Celebration*

Officials of Waukegan, Ill., ha designated June 21 through June as "Waukegan Celebrity Days" honor of Jack Benny. The comedia and his Jello program cast will broa cast from the stage of the Genes Theatre June 25, in connection wi the opening of Benny's Paramou film, "Man About Town."

# xpect Allied To Give Code Its Approval

(Continued from page 1)

rd of directors regardless of the n forum.

his opening address Cole extolled d's and Abram F. Myers' "con- ency" over ten years of the organi- ion's existence. He said Myers never swerved from the principal ective of his fight against "inde- dents' domination by chains." He erted that Allied originally stood "negotiation and conciliation" of stry disputes, but was forced into policy of legislation and litigation h the distributors' threat of ex- sive selling six years ago.

### Code Biggest Parley Topic

ole traced the organization's ac- ties under this policy from that e up to the filing of the Govern- t anti-trust suit and the recent ional suits, the "late" North Da- a theatre divorce law and the ly bill, inferring Allied is respon- e for whatever has developed along se lines.

he code is unquestionably the most ortant convention topic, if not the major one, with today's and orrow's general sessions being en over to it and Thursday's board ting scheduled to take final action it.

he direction of Allied leaders' ughts on the code was indicated by Samuelson and Yamins at the ucational" meeting today with both ssing the fact that approval of the e in its present form will mean roval of what is not in it as well as at is. Thus, they contended, since code does not mention theatre di- cement, block booking and blind ing, approval of the code implies roval of those and other activities specifically corrected or con- ned.

### "Fair Document," Says Myers

yers described the arbitration pro- ons of the code as "in the main, a document." He told the conven- that while the arbitration clauses cide in all important particulars his own recommendations to the ributors' negotiating committee, t was to be arbitrated was equally mportant as the machinery of ar- ation.

yers said that the bulk of the con- tion's consideration, therefore, ld be given to the trade practice ions of the code rather than to tration in deciding whether they for or against it.

yers' major criticism of the ar- ation provisions is that exhibitor els should be solely independent.

he only committee appointed today the one on resolutions. It con- of Jack Kirsch, Chicago; Max en, New York; Moe Horowitz, eland; L. C. Tidball, Texas; es C. Quinn, California; Herman n, Maryland, and Abe Kaplan, nesota.

radwell L. Sears, Warners' gen- sales manager, was the only ranking sales executive at the con- ion today. W. F. Rodgers, ro's sales manager, is expected tomorrow.

# SHORT SUBJECT REVIEWS

## "Hollywood Hobbies"

*(M-G-M)*

Hobbies of various stars in Hollywood are described in this tour of the film city. Reginald Denny's model airplanes, Clark Gable's whitewashing, Robert Young and Allan Jones, with Irene Hervey, at their stables, are shown. The reel winds up with a charity baseball game with Spencer Tracey, Virginia Bruce, James Cagney, Tyrone Power, Joan Davis, James Stewart and George Murphy. The fans should like this. Running time, 10 mins.

## "Radio Hams"

*(M-G-M)*

Exploits of the radio amateurs in emergencies form the subject of this reel. Typical rescues and services rendered thousands of miles from the scene of the disaster are described. A youngster in search of "distance" provides the continuity. A Pete Smith Specialty. Running time, 10 mins.

## "Angel of Mercy"

*(M-G-M)*

This is the story of the pioneering efforts of American women to establish a nursing service for war needs. Clara Barton, who led this fight, is the central figure. Her difficulties and the final establishment of the American Red Cross are dramatized with telling effect. Running time, 10 mins.

## "Rural Hungary"

*(FitzPatrick-M-G-M)*

Gay and colorful customs of Hungary's peasantry are the feature of this "Traveltalk." Done in color, the reel captures the light spirit of their festivities, the bright costumes and the quaint habits. Worthwhile. Running time, 9 mins.

## "Pest from the West"

*(Columbia)*

A mildly amusing Buster Keaton vehicle, with the sour-face comedian indulging in his usual antics. Buster drifts into a Mexican town in his yacht and becomes entranced with Conchita, a cigarette girl in a cafe. However, the boss of the cafe and Ferdinand, a bull fighter, have sworn to kill any other rival. Buster's adversaries dispose of each other and her husband appears. Running time, 18 mins.

## "Lucky Pigs"

*(Columbia)*

In this take off on sweepstakes winners, Mamma and Papa Pig buy a sweepstakes ticket, win the big prize, and embark on a wild shopping spree. Overlooked is the income tax collector, who collects so much money that the pigs find themselves worse off financially than when they started. Running time, 7 mins.

## "Screen Snapshots"

*(Columbia)*

Background is the Bel Air estate of the Basil Rathbones on the evening of a charity ball. Practically every star in Hollywood attends the event, and the camera affords interesting glimpses of their arrival and subsequent festivities. Running time, 10 mins.

## "Home Early"

*(M-G-M)*

Robert Benchley succeeds in creating uproarious comedy when he decides to come home early to surprise his wife. He finds her entertaining the bridge club. After convincing her that he is sober and not sick, he faces the problem of amusing himself and yet keeping out of the way of the guests. This is Benchley at his best. Running time, 9 mins.

# At Minneapolis Convention

MINNEAPOLIS, June 13.—Among those attending the National Allied convention here are the following:

Adrian D. Rosen, Detroit; F. A. Schneider, Detroit; James C. Quinn, Los Angeles; J. J. Weiss, Chicago; M. Biemond, Ord, Neb.; Arthur J. Goldberg, Chicago; Fred Strief, Cincinnati; H. A. Blum, Baltimore; E.. F. Maertz, Milwaukee; O. E. Lockrem, Circle, Mont.; Isaac R. Holycroos, Indianapolis; Leslie L. Lyons, Chicago; L. Sussman, Chicago; C. H. Olive, Washington; Maurice Rubin, Michigan City, Ind.

E. M. Jackson, Plentywood, Mont.; G. W. Erdmann, Cleveland; Elmer E. Benesch, Chicago; Jack Rubens, Chicago; Philip L. March, Wayne, Neb.; Jack Rose, Chicago; George L. March, Vermilion, S. D.; Richard Weber, Milwaukee; Charles Cooper, Chicago; Louis Abramson, Chicago; Peter Protoepolius, Chicago; Jack Kirsch, Chicago; Oscar Henriksen, Grafton, N. D.; William Sussman, New York; M. B. Horwitz, Cleveland; Harvey B. Day, New York.

Irving Goldman, Chicago; Robert Hartman, Chicago; David Palfreyman, New York; Clint Weyer, New York; E. Wagner, Chicago; John Griffin, Chinook, Mont.; W. S. Smith, Menomonie, Wis.; Julius Overmoe, Hillsboro, N. D.; A. A. Paulson, Amery, Wis.; Stanley W. Hand, New York; R. Hilton, Chicago; C. L. Rosen, Baraboq, Wis.; Edward A. Cuddy, Boston; Joseph Brennan, Boston.

Henry Morton, Winnipeg; Charles Lee Hyde, Pierre, S. D.; A. C. Berkholtz, West Bend, Wis.; Eddie Brunell, Chicago; Albert J. Simon, Chicago; W. C. Gehring, New York; H. M. Richey, New York; A. W. Lilly, Greenville, Texas; Michael Felt, Philadelphia; David Milgram, Philadelphia; Mo Wax, Philadelphia; Jack Heywood, New Richmond, Wis.

Howard Reif, Cleveland; Harry W. Walker, Crafton, Pa.; John D. Kalafat, Cleveland; Jack Piller, Valley City, N. D.; John Piller, Jr., Valley City, N. D.; M. S. Fine, Cleveland; Max Lefkowich, Cleveland; William R. Wheat, Jr., Sewickley, Pa.; E. T. Beedle, Canonsburg, Pa.; Stan Martin, Chicago; L. C. Tidball, Ft. Worth; Edward Auger, Camden, N. J.; Homer B. Snook, Camden, N. J.; Jerry Stul, Oberlin, Ohio; W. G. Ripley, Longview, Wash.

Frank Panpolos, Clairton, Pa.; Raymond Schwartz, Philadelphia; Josef Pastor, Chicago; Joseph G. Haney, Colorado Springs, Colo.; F. J. McWilliams, Madison, Wis.; Leo F. Wolcott, Eldora, Iowa.

W. B. Littlefield, Boston; Joseph Conway, Philadelphia; F. X. Faust, Forsyth, Mont.; Kermit C. Stengel, Nashville; W. B. Franke, Humboldt, Iowa; Harry Goldman, Tippy Harrison, Ben Lasker, Chicago; M. C. Cooper, Grand Forks, N. D.; Leo Gilles, Wahpeton, N. D.; Max A. Cohen, H. G. Kosch, New York; Nathan Yamins, Fall River, Mass.; Arthur K. Howard, Boston.

# 'Heaven' Hits Good $5,500 In Milwaukee

MILWAUKEE, June 13.—"East Side of Heaven" and "Man of Conquest" was the week's best combination with $5,500 at the Warner.

Estimated takings for the week ending June 8-9:

**"The Birth of a Baby"**
ALHAMBRA—(2,660) (25c-35c-50c) 7 days. 3rd week. Gross: $2,000.

**"Big Town Czar" (Univ.)**
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Tizzie Lish. Gross: $6,500. (Average, $6,500)

**"East Side of Heaven" (Univ.)**
**"Man of Conquest" (Rep.)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $5,500. (Average, $4,500)

**"Only Angels Have Wings" (Col.)**
**"Boy Friend" (20th-Fox)**
**"The Lady's from Kentucky" (Para.)**
**"Some Like It Hot" (Para.)**
PALACE—(2,400) (35c-50c) 3-4 days, respectively, split week. Gross: $3,600. (Average, $4,000)

**"Union Pacific" (Para.)**
**"Love Affair" (RKO)**
STRAND—(1,400) (35c-50c) 7 days. Gross: $1,200. (Average, $2,000)

**"Young Mr. Lincoln" (20th-Fox)**
**"It Could Happen to You" (20th-Fox)**
WISCONSIN—(3,200) (35c-50c) 7 days. Gross: $5,500. (Average, $5,500)

# Press Agents Win In TMAT Elections

Press agents led a victorious fight in the Theatrical Managers, Agents and Treasurers Union elections and succeeded in choosing two independent candidates in four contests. Hal Olver, business agent, was defeated by Joseph Grossman. Morrie Seamon, the other business agent, was re-elected.

William Fields captured the vice-presidency from Dan Melnick, incumbent, but Saul Abraham was re-elected president. James J. Murphy was unopposed for secretary-treasurer.

### City Hall Strike Settled

M. P. Division of the T. M. A. T. disclosed yesterday that the strike at the City Hall, Manhattan, had been settled but terms were not revealed.

# Delay 'Ecstasy' Case

PHILADELPHIA, June 13.—Appeal of Eureka Productions to get "Ecstasy" passed over the Pennsylvania censor board's rejection was postponed today until June 26 by Judge Brown.

# Newsreel Parade

*Tour of Britain's Monarchs in the United States is covered uniformly in the new issues. The reels and their contents follow:*

MOVIETONE NEWS, No. 79—King and Queen in U. S. British submarine sinks. Open golf championship. Candidates for Olympic diving team.

NEWS OF THE DAY, No. 277—Royalty on tour. *Thetis* tragedy. Golf match. Diving try-outs.

PARAMOUNT NEWS, No. 90—British submarine disaster. Resume of Royal visit.

RKO PATHE NEWS, No. 94—*Thetis* rescue attempt. Royalty visits U. S. Japs in Mongolia. Dedicate Joan of Arc shrine. Divers in training. Nelson wins golf title.

UNIVERSAL NEWSREEL, No. 779—King and Queen visit U. S. Return body of Mexican flier. Rose festival. Diving. Nelson wins open golf match. Submarine sinks.

# RKO to Open Three More Brazil Offices

Three additional offices will be opened by RKO in Brazil next season, Bruno Cheli, manager in Brazil, stated yesterday. There are six branches there now. The Lima conference did much to establish goodwill for American films, Cheli declared. French films are second in importance, German, third and native product fourth.

Cheli said there is no foundation to reports that Brazil was considering a state monopoly of the film business. Cheli believes that short-wave broadcasts could be of considerable promotional value but that they are of little use at present. He pointed out that the broadcasts now are timed with the United States premieres instead of South American openings.

Others who arrived for the RKO convention with Cheli were Pedro Saenz, Cuban representative; Fernando Mier, his assistant; Ned Seckler, home office representative in Cuba, and Max Gomez, Mexican manager.

## *Radio Builders Get Craven's Warning*

Chicago, June 13.—A warning against standardization of television development and a plea for courage and initiative in its advancement were voiced by T. A. M. Craven, member of the Federal Communications Commission, in addressing the Radio Manufacturers' Association in convention here today.

Craven said that the F.C.C. would move slowly in licensing television stations, adding that it would be several years before long distance television is practical.

## *Attorneys Discuss Trust Action Plans*

Counsel for major company defendants met at the Hays office yesterday and mapped further procedure in the Government's anti-trust suit.

After discussing Federal Judge William Bondy's order that the Government expand its original bill of particulars, the lawyers started drafting the formal order which will be submitted to the court.

## *Columbia Loses Plea*

Federal Judge John W. Clancy yesterday refused to allow the application of Columbia Pictures Corp. for a further bill of particulars in the Government's anti-trust suit to be referred to Judge William Bondy for hearing and fixed June 16 as the date for arguments. Judge Clancy retained jurisdiction over the Columbia application.

## *Jolson in 'Swanee' Role*

Hollywood, June 13.—Al Jolson has been signed by 20th Century-Fox for the role of E. P. Christie, minstrel troubador, in "Swanee River." Henry King will direct and Kenneth Macgowan will be associate producer.

## *'Career' Opening July 2*

Des Moines, June 13.—"Career," RKO's film from the Phil Stong story, will have its world premiere here July 2.

# BANNER LINES

### By JACK BANNER

**TELEVISION** . . . Is television catching hold? Apparently NBC is more than certain that it is because starting next week the company's television program schedule will be increased more than double its present state. Under the new plan, evening studio telecasts will be increased to three a week (two are telecast at present). Outdoor telecasts will be stepped up to three hours a week, and an innovation will be four noonday hours weekly from the NBC studios. Under the new plan, film will play a minor role. Hereafter no film will be shown during evening hours, and the afternoon hours will have only 30 minutes of film three times weekly.

▼

**WANGER TO TALK ON AIR** . . . Outspoken Walter Wanger will tell what happens to books in Hollywood in a talk June 23 over the NBC-Blue. The producer will discuss the reception of books in Hollywood and explain their importance as scenario material for motion pictures.

▼

**WNEW ANNOUNCERS MAKE NEWSREELS** . . . When Paramount was preparing to cover the King and Queen they made "on-the-spot" shots of three announcers before the arrival here of the Royal pair. The announcers were John Jaeger, George Hogan and Hal Moore of the WNEW staff.

▼

**ROYAL CHAMPAGNE** . . . Frank Gallop, CBS announcer, did the commentary for his network's broadcast of the luncheon attended by the Royal party at the Fair. Gallop took note that the King and Queen barely sipped their champagne. After their departure he polished off the drinks and now claims the proud distinction of being the only one ever to partake of a drink touched by Royal lips.

▼

**HOLLYWOOD PROMOTION** . . . Bill Lewis, CBS vice-president, recently returned from Hollywood, yesterday revealed that Frank Vanda has been named to the newly-created post of western program director. The appointment is effective July 3. John Dolph, who assumed Vanda's production duties when the latter was loaned by CBS to the Wrigley Co. to produce the RKO "Gateway to Hollywood" series, now returns to his position as assistant to west coast vice president Don Thornburg.

▼

**PERSONALS** . . . Frank Lovejoy of the "Gang Busters" series will be wed next week to Frances Williams, now performing at the Aquacade. . . . Mrs. Franklin D. Roosevelt comes to New York tomorrow for an appearance on Kate Smith's program. . . . Claire Sherman, former CBS singer and now on WFEL, Syracuse, is visiting in New York. . . Jim Fleming, the newscaster, is taking a six months leave of absence to tour Europe.

▼

**WORLD FAIR EPISODE** . . . There was quite an argument on the World Fair grounds Monday night during a WHOM broadcast. WHOM now is doing a nightly one-hour program from the Fair Grounds. Obtaining word that Mayor LaGuardia, Governor Lehman and Secretary of Interior Ickes were attending the Sun Valley concession, the WHOM crew hurried there. The noted visitors consented to being placed on the air and the broadcast was well under way when a Fair executive hove into view and angrily ordered that the radio crew be tossed from the grounds, because they had not obtained official permission to place the party of celebrities on the air.

▼

**LONG DISTANCE CHESS** . . . To Bob Hall of the San Francisco *Call-Bulletin,* we are indebted for the following. Mannie Segal of the sound effects department in Radio City, is engaged in a long-distance chess game with Frank Nelson of NBC's KGO. Moves are sent across the country by mail. Neither is ahead yet, because they've only been playing for 17 weeks.

## *Alperson Sues G. N.*

Edward L. Alperson, former president and sales manager of Grand National Pictures, Inc., filed suit yesterday for breach of employment contract in U. S. District Court, in which he asks $35,525 damages against Grand National and a decree directing the company to turn over 10,000 shares of its own stock to him and $100,000 in damages against Educational Pictures, Inc., and E. W. Hammons, its president.

## *Patent Suit Dropped*

Stipulation was filed yesterday in the U. S. District Court discontinuing the suit of Nakken Patents Corp. against Erpi and Western Electric Co. Suit had been brought for patent infringements.

## *Critics Honor Gaynor*

Leonard Gaynor was guest of honor at a dinner tendered by the New York Film Critics at Pietro's last night. Gaynor recently resigned from 20th Century-Fox publicity department.

## *Win Plagiarism Ruling*

U. S. Circuit Court yesterday reversed an order of Federal Judge Woolsey which had dismissed a plagiarism suit of Clara Dellar and Robert Louis Shayon against Samuel Goldwyn, Inc., United Artists Corp., Eddie Cantor and Samuel Goldwyn, and ordered that the suit proceed to trial. The plaintiffs charge piracy of their play, "Oh Shah."

## *Sues to Stop Film*

Philadelphia, June 13.—The Rex today filed an injunction suit against the Pearl theatre, Morris Wax, officer in the owning company. Paul Kleinman, manager, and Million Dollar Productions, Inc., to stop showing "Gang Smashers" at the Pearl. The Rex charges breach of contract. A hearing is scheduled Thursday.

## *Ticket Price Hearing*

Hearing on the Spellman bill to limit price advances by ticket brokers to 75 cents per ticket will be held at the City Hall Friday afternoon.

# SAG Defeats Thomson O 'Single Unio

Screen Actors Guild, largest u within the Associated Actors and istes of America, is opposed to proposed "one big union" idea will fight any effort to abolish autonomy at the present time.

Kenneth Thomson, executive s tary, long the leading proponent one union for all performers, rev in an interview yesterday that S. A. G. board had overruled hin

Other items discussed by Thor included:

The S. A. G. will resist any by Actors Equity to claim telev jurisdiction.

Licensing agreement with agen nearing completion and may be si within a few days.

S. A. G. favors strengthening 4-A's along certain lines.

Reduction of extra ranks to may be accomplished before the of the year.

Dissension created by a min group of extras who sought se tion from the S. A. G. has been inated by the recent overwhel vote in favor of continued associ with the Guild.

"Principal fear of the one-union all is that control will pass from tors to paid officials," Thomson "Obviously, the screen actors' lem cannot be governed from York, nor the legitimate stage radio from the coast. Member meetings will not be practicable control will drift into the hand executives.

"This does not mean that the should not be strengthened, or th influence should not be widened December, we proposed se changes and they may still be ado We suggested two types of cards for those who work in only one and another, with higher dues, those who desire interchangeab There should be a uniform syste dues."

On television, Thomson decl that it was too early to give juri tion to any union. He pointed that Paramount was installing 12 vision stages and that screen a rather than legitimate stage a might be needed.

## *$40,000 Republic Wing for Writ*

Hollywood, June 13.—Republic break ground in ten days on a writers' building as the first step studio expansion program. The b ing will be a new wing to the ministration building and will $40,000. It will contain 40 o

## *IATSE Contempt Hearing Postpo*

Los Angeles, June 13.—Sh warning defendants "not to t fate," Superior Judge Wilson t continued until June 22 the hea on an order for J. W. Buzzell, Angeles Central Labor Co executive and three Internat I.A.T.S.E. officers to show cause they should not be held for cont of court for splitting up Techni Local 37 into five groups.

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# opkins Calls Conference Of Exhibitors

## nds Invitations to Cole And Kuykendall

ASHINGTON, June 14.—Secretary Commerce Harry Hopkins today ted exhibitor groups to confer with in the Department's study of in- ry conditions. He suggested Tues- June 20, for a conference with ed and the following day for a ussion with the M.P.T.O.A.

hese conferences are apart from discussions the Department is ling with the distributors, who re- ly conferred with Hopkins in shington. The invitations were to Col. H. A. Cole, Allied presi- , and Ed Kuykendall, president M.P.T.O.A., by Dr. Willard L. rp, special assistant to Hopkins.

**oing to New York for Facts**

rnest A. Tupper, chief statistican the Bureau of Foreign and nestic Commerce, will confer in York Friday with Joseph H. en, Warner executive, regarding statistical material which Hazen gathering for the Department's y

it develops that the information fficiently complete, another meet- will be called between Department ials and the distributor group next .

he projected exhibitor conferences no relation to either the trade tice code or the reported effort obtain a consent decree in the ling New York anti-trust suit, it explained by a Department esman.

We just want to get the problems and get the views of the various ested groups," Thorp said. "At moment there is no purpose nor hing we are trying to sell. It is ly that in these matters the ex- iors have an important part to

**Cites Hopkins' Interest**

ecretary Hopkins is very much ested in the motion picture indus- and would like to have the De- ment help on some of its prob- . Whether it can do so or not ains to be seen."

Department spokesman made it that the trade practice code had been discussed and that the dis- itors had not asked for its con- ation. No thought has been given he calling of an international con- ce, he said. So far, he declared, pecific problems have been taken nd the Department is feeling its

## *Television Unafraid of Films—Mullen; Sees Million Jobs*

**Chicago, June 14.—Television has $1,000,000,000 to put to work and jobs for a million persons, Frank Mullen, vice-president of RCA, said here today.**

**"Movies, newspapers, radio and television must cooperate to forestall any complications that may arise," he said.**

**"Television is ready to meet any attempt on the part of pictures to hinder it. Television will provide what it needs to meet film competition."**

# AFA and 4-A Hurl Charges At Each Other

Charges and counter-charges were hurled yesterday between American Federation of Actors and Associated Actors and Artists of America, the parent body.

The 4-A's made public eight charges which the A.F.A. must answer in writing before June 24 and which will be the subject of an international board meeting on July 10.

In response, the A.F.A. called upon the American Federation of Labor to investigate the 4-A's for its "malicious investigation" of the A.F.A. and issued a response, written by Sophie Tucker, president, to the charges.

The charges, if upheld, may result in the revocation or suspension of the

(*Continued on page* 4)

# PASS CODE, ALLIED PLEA BY RODGERS

## *Steffes Leads Strong Attack Against Pact; Membership Opinion Divided*

By SHERWIN A. KANE

MINNEAPOLIS, June 14.—William F. Rodgers, M-G-M general sales manager and chairman of the distributors' negotiating committee, pleaded for adoption of the trade practice code at the Allied convention here today. W. A. Steffes, Allied leader, started the debate on the code by urging exhibitors present not to endorse it.

Speaking for the distributors' committee, Rodgers said: "We hope Allied adopts the code. Of course, we want to see it accepted. But if to secure its adoption additional concessions are asked beyond those which already have been agreed to, you may rest assured no distributor, affiliated or otherwise, will agree to any expansion of its already broad policies."

W. F. Rodgers

Rodgers spoke before the debate by delegates whether the code should be adopted or rejected. Independent exhibitors at the convention will vote on the question in secret ballot tomorrow.

Continuing in his plea for the code, Rodgers said: "There is a great deal of apprehension on the part of some distributors as to whether or not they can operate profitably under the proposed plan.

"Although I do not believe that the plan of voting here on the code would be of any material benefit, either for or against, because you do not have the number of people here qualified to register a national choice, the fact remains that it is in your hands whether or not you want to adopt it."

**Photographs from the Minneapolis Allied Convention on page 5.**

Rodgers said the consensus of other exhibitor organizations is that they want the code.

Explaining the code's principles, Rodgers said that distributor entry into exhibition was first adopted only as a measure of protection. He contined:

"While there may be some isolated case where this statement seems far fetched, I can tell you that for each such isolated instance, there were 10 others where there was only one course left for a distributor to protect his interests, and that was acquisition of show windows for his merchandise."

### Calls Code Practical

Rodgers said the code as completed is not complicated and that it is practical.

"If adopted," he declared, "it will contribute more to the progress of this industry than any move contemplated since the inception of films as the world's greatest entertainment.

"If it is not perfect, it is nevertheless a great improvement over the existing unsatisfactory conditions."

### Rodgers Raps Neely Bill

Rodgers attacked the Neely bill, saying it would compel exhibitors and distributors to adopt unsound practices and that it would hurt "the little fellow."

He called the convention "the most important in many years."

Attacking the code, Steffes at the same time defended Allied's assistance to the Government in its anti-trust suits.

Steffes said the lawyers had had

(*Continued on page* 5)

# *WPA Changes Peril 8,000 Jobs, Says AFM Protest*

KANSAS CITY, June 14.—American Federation of Musicians, now in convention here, today wired all congressmen to oppose changes in the WPA music setup proposed recently in Congress.

The Federation is convinced that the Government's efforts to pass some of the cost on to state and local governments will effect elimination of such projects which now support 8,000 musicians.

The convention declined a proposal that the Federation sponsor a national network program to promote living music and recommitted a resolution which would in effect abrogate the I.A.T.S.E.—AFM agreement.

The resolution charges I.A.T.S.E. with causing employment loss to musicians by enlarging jurisdictional claims to include hotels, radio stations, symphonies, dog tracks, small night clubs and public address systems used by the Federation's jobbing bands.

Among those attending today's session was Jules Stein of MCA.

# Leaders Plan Chicago Fete For Eckhardt

CHICAGO, June 15.—A committee meeting will be held Friday at the Congress Hotel to arrange details for the Clyde Eckhardt silver anniversary testimonial dinner July 17 at the Congress.

Co-chairmen for the event are John Balaban, Jack Kirsch and Jack Osserman.

On the committee are Ed Alger, Fred W. Anderson, H. U. Bauley, Harry Balaban, Percy Barr, Steve Bennis, Herman Bland, James E. Coston, Mort Goldberg, Harry Goldman, Julius Goodman, A. L. Hainline, Edward L. Harris, Charles F. House, John Jones, George Kerasotes, Ben Lasker, A. B. McCollum, Sam Meyers, Jack Miller, V. A. Nomikos, Lou Reinheimer, Leonard Rorer, Jack Rose, Jules Rubens, Maurice Rubens, Maurice Rubin, Arthur Schoenstadt, Jack Schumow, Edwin Silverman, Emil Stern, Joe Stern, M. O. Wells, Nate Wolf, Verne Young and Edward Zorn.

## *Set 'School' Preview*

A documentary film, "School," produced by Lee Dick, Inc., for the American Film Center, Inc., and Progressive Education Association, will be previewed at the Museum of Modern Art next Wednesday. The film, on 16 mm., is 20 minutes long, was produced at the Hessian Hills School at Croton-on-Hudson and will be shown at the Science and Education Building at the New York World's Fair.

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# *Purely Personal*

C. R. DICKINSON, Paramount's general sales manager in Great Britain, and TONY REDDIN, publicity director there, leave the coast by train tomorrow for New York. MILTON KUSELL, New York district manager, is flying to New York from the coast via American Airlines.

•

CAPT. DWIGHT L. MULKEY of the U. S. Army Signal Corps has returned to Washington to produce army training films, following an eight months' course in production under the auspices of the Research Council of the Academy of Motion Picture Arts and Sciences on the coast. LIEUT. HARRY J. LEWIS will go to Hollywood in September for a similar course.

•

MORRIS J. ROTKER, charter member of Local 306, and veteran projectionist, will celebrate his silver wedding anniversary Sunday at the Hotel Newton. New York Postmaster ALBERT GOLDMAN, County Judge LESTER W. PATTERSON and JOSEPH D. BASSON, president of 306, will be among the guests.

•

VICTOR JURGENS, March of Time cameraman, en route to Guam, was operated on for appendicitis by Naval surgeons aboard the *U.S.S. Goldstar* and removed to the Naval Hospital at Guam.

•

HERBERT GRIFFIN, vice-president of International Projector Corp., is visiting western branches of National Theatre Supply Co., and is attending the national Allied convention in Minneapolis.

•

SHIRLEY TEMPLE returned to the 20th Century-Fox studio yesterday from a vacation in Honolulu with her parents. Her next film will be "The Blue Bird."

•

WILLIAM A. GEDRIS of Ideal Seating Co. stopped off in town to see his export agent, J. E. ROBIN, en route to Washington for the opening of the Kennedy Theatre.

•

L. A. BERNERO, general manager of Ensell Brothers, St. Louis, and DAVID RABINOWITZ, Lincoln Theatre, Gainesville, Fla., were visitors yesterday at the RKO lounge.

•

WILLIAM POWELL and CLAUDETTE COLBERT will co-star in the Lux Radio Theatre production of "The Ex-Mrs. Bradford" over CBS Monday evening at 9 P. M.

•

WILF BECKETT, Columbia's special representative in New Zealand for three years, yesterday visited A-MIKE VOGEL of the Managers Round Table.

•

HERB MORGAN, M-G-M shorts publicity head, has arrived on the coast for conferences with JACK CHERTOK, producer.

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STANTON GRIFFIS, chairman of the executive committee of Paramount, leaves by train today from San Francisco for New York.

•

PRESIDENT ANASTASIO SAMOZA of Nicaragua, his wife, and daughter, LILLIAN, yesterday were shown a rough print of sequences of Paramount's "Ruler of the Seas," by FRANK LLOYD, director, at the studio.

•

RUTGERS NEILSON, RKO Radio's publicity manager, became a member of the Circus Saints and Sinners at the Astor yesterday noon.

•

E. M. McDANIEL, manager of the Strand in Port Arthur, Texas, is recovering at his home after a recent operation.

•

FELIX JENKINS was a guest at the annual banquet of the Virginia M. P. T. O. at the Hotel Roanoke in Roanoke, Va.

•

LEOTA LANE, sister of ROSEMARY, PRISCILLA and LOLA, made her screen debut in "You're Next to Closing," Warner short.

•

ENID BENNETT, star of the earlier days of the screen, has been signed to a role in DAVID O. SELZNICK'S "Intermezzo."

•

MADGE EVANS, actress, and SIDNEY KINGSLEY, playwright and scenarist, have announced their engagement.

•

WATT PARKER, manager of Amity Pictures Co., Charlotte, is in town.

## *Decision Reserved In Goldwyn Action*

WILMINGTON, June 14.—Federal Judge Nields reserved decision today on the motion of United Artists to dismiss the amended complaint in the breach of contract suit brought by Samuel Goldwyn and Samuel Goldwyn, Inc. Goldwyn was given until Monday to file briefs supporting his complaint and U. A. was given until the following Friday to reply.

Former Senator George H. Pepper and Robert H. Richards represented U A. and Max D. Steuer argued for Goldwyn. The defendants contend that the complaint must be dismissed because of the failure of Goldwyn to include Alexander Korda and Douglas Fairbanks, Sr., as defendants in the action.

## *Five New Summer Closings in District*

Five additional Summer closings have been reported in the metropolitan area. Loew's will close the Hollywood, Ave. B, Manhattan, June 25, and the Opera House, Bayonne, will close Sunday. The Grace, Brooklyn, the Congress, Bronx, and the Rialto, Patterson, have been closed.

## *Air Shipments Gain*

Air Express shipments of Railway Express Agency increased 20.8 per cent in April, 1939, over April, last year. Shipments for the first four months of 1939 increased 19 per cent over the same period in 1938, the company reports.

## *Mexico Notes*

MEXICO CITY, June 14. — Str
against film houses to enforce un
ization of their employes is the l
in Mexican picture labor's stru
for control of the business.
action has been started in Irap
Guanajuato state, an important w
ern railroad and industrial cente
delegation of the state film wor
union swooped down on the
Club during a performance, drove
the audience, shooed off the prote
exhibitor, and closed the theatre
a picket cohort and the red-b
banner of organized Mexican lab

The exhibitor has protested to
State and Federal Governments
to the national film workers' org
zation.

A group of local exhibitors
petitioned Congress to pass a law
stricting the number of houses w
may operate in the Federal Dist
which includes this city.

Jose Perucho, one of the lea
picture directors of Spain during
Loyalist Government regime,
found refuge in Mexico and is
ranging to establish Film Popula
newsreel in Spanish.

## *Vitaphone Reveals Decathlon Winn*

Hal Walsh, St. Louis branch
ager for Warners, finished first i
western division of the Vitap
Decathlon drive which ended Apri
it was announced yesterday by
man Moray, Vitaphone sales
Robert Smeltzer, central district
ager; Harry Seed, Pittsburgh br
manager, and Bill Mansell, Phil
phia branch manager, competin
the eastern division, were tied for
Engraved watches will be awarde
the winners.

## *Three RKO Appeal Before Court Tod*

U. S. Circuit Court of Appeals
day will hear three separate ap
from the order of Judge Bondy w
confirmed the plan of reorganiz
of RKO. The appeals were take
Ernest W. Stirn, holder of
shares of Class A stock of RKO
Cassel & Co., holder of $175,00
RKO debentures, and the C
Realty Corp., contingent credito
RKO.

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# AFA and 4-A Hurl Charges At Each Other

(*Continued from page* 1)

A.F.A. charter, Frank Gillmore, A.A.A.A. president, declared.

The A.F.A. is charged with obstructing the work of the investigating committee, paying organizers on a percentage basis; failing to use democratic methods; failing to organize presentation houses; organizing circus people who are not eligible for A.A.A.A. membership; failure to use moneys received from benefit performances for relief purposes; failure to cooperate in the organization drive of the 4-A's in unorganized fields; becoming involved in jurisdictional disputes; using "ungentlemanly tactics" in organizing in specified cases; poor administration of Coast branches; procuring an A. F. of L. representative to assist improperly in internal affairs.

Miss Tucker, in her response, asserted that the investigation was sought by the A.F.A. but that the report was not "constructive"; that full cooperation was given to the committee but that the A.F.A. refused to underwrite the expense; that the acts of Ralph Whitehead, executive secretary, were fully authorized by a democratically-controlled council; that the A.F.A. was refused loans for organizing while other branches were receiving aid.

Miss Tucker further charged that benefit funds were being transferred to a hospitalization fund; that commissions were paid to organizers because no other funds were available; that presentation houses are being organized with a present membership of 1,700 chorus people; that the A.F.A. now has 15,000 members, of whom 6,120 are members in good standing; that the A.F.A. organized circus people without objection from the 4-A's until January and that they since have been made a part of a separate division.

## *Drama Pact Talks By Fleisher, Reilly*

With approval of amendments to the minimum basic agreement by the Dramatists Guild council virtually assured, Sidney R. Fleisher, Guild attorney, and James Reilly, executive secretary of the League of New York Theatres, are to meet today to discuss amendments from the legitimate stage producers' viewpoint. Guild vote on the amendments, scheduled yesterday, was postponed to next week.

## *French Film for Dietrich*

Marlene Dietrich, who sailed yesterday on the *Normandie,* will make a film in Paris for Forrester-Parant. The picture will be made in French and English versions. It has a Montmartre theme. Miss Dietrich, who returns to France with her husband, Rudolph Siebert, plans to be back here in several months.

### Dietrich Tax Lien

An income tax lien for $142,193 was filed today in the District Court against Marlene Dietrich and her husband, Rudolph Sieber, for the years 1936 and 1937.

# *Federal Theatre Doomed June 30 in House Report*

WASHINGTON, June 14.—Abandonment of the Federal Theatre project on June 30 is provided in a change written by the House Appropriations Committee into the $1,716,600,000 relief supply bill for 1940.

The measure, reported to the House today, provides extensive changes in relief administration, including establishment of a three-man board to operate WPA.

In making its decision on the Federal theatre, the Committee pointed out that the project was one of only two nation-wide projects operated by the Works Progress Administration with Federal sponsorship. All other projects are sponsored by states or localities, and the Committee took the attitude that there should be no discrimination.

Future of the United States Film Service became highly uncertain as the committee refused to make any provision for activities after June 30. 30.

Another highlight of the report was the allocation of $20,000 for the radio division of the National Emergency Council.

The Film Service, which, with the radio division, is to be transferred from the N. E. C. to the office of education, which is to be a part of the new federal security agency set up July 1 under President Roosevelt's reorganization plan, had asked the committee for $335,840 for the coming fiscal year.

### Delegation to Washington

A delegation from all unions whose members are employed in the WPA Federal Theatre Project left last night for Washington to protest the dropping of 1,500 actors and craft unionists from the project.

## *At Minneapolis Convention*

MINNEAPOLIS, June 14.—Additional names of theatre men attending the tenth annual national Allied convention at the Nicollet Hotel follow:

Don O'Reilly, St. Paul; Don Conley, Minneapolis; Mrs. Bud L. Jensen, White Bear, Minn.; Clyde L. Cutter, Robbinsdale, Minn.; Harry Dickerman, Minneapolis; Robt. Hazelton, Minneapolis; J. S. Cohan, Minneapolis; Louis Cohan, Minneapolis; R. G. Risch, Appleton, Minn.; Harvey G. Thorpe, Crosby, Minn.; E. L. Peaslee, Stillwater, Minn.; Lowell Smoots, Little Falls, Minn.; Harold Lyons, Minneapolis; Irving Gillman, Minneapolis; Dave Gillman, Minneapolis.

Les Rees, Minneapolis; Ben Meshbesher, Minneapolis; Gilbert Nathanson, Minneapolis; George Fosdick, Minneapolis; W. J. Carter, Plainview; A. A. Kaplan, St. Paul; Jos. Milnar, Spring Valley, Minn.; Geo. Granstrom, St. Paul; Karl Korstad, Redby, Minn.; S. J. Blackmore, Duluth; W. A. Steffes, Minneapolis; T. E. Mortenson, Minneapolis; Harold Mortenson, Minneapolis; W. D. Gowan, Ortonville; Ted Galanter, Minneapolis; Frank Ressler, Park Rapids, Minn.

Harry M. Dryer, Minneapolis; Chas. Rubenstein, Minneapolis; William H. Crystal, Minneapolis; Max Torodor, Minneapolis; Herb Nicholas, Fairmont; Percil Stephenson, Fairmont; G. N. Turner, Pine City; Harold Field, Minneapolis; Paul H. Mans, Minneapolis; Andy Anderson, Detroit Lakes; Leo Aved, Minneapolis; O. E. Maxwell, Minneapolis; Lyle Carisch, Wayzata, Minn.

Jack Demarce, Benson, Minn.; Wm. Pearl, Highland, Ill.; Odes A. B. Hilton, Sioux City, Ia.; Chick Lewis, New York; Kenneth Johnson, Bricelyn, Minn.; W. Ray Johnson, New York; Edw. A. Golden, New York; M. H. Hottinger, Bricelyn; Geo. Esterl, Park Falls, Wis.; Irving Mack, Chicago; Wm. T. Powers, New York; P. S. Harrison, New York; Samuel A. Feir, New York; Earl S. Lorentz, Minneapolis.

William P. Cameron, Minneapolis; N. F. Hall, Minneapolis; Don Ruliffson, Minneapolis; Wayne Brenkert, Detroit; Harry Markun, Indianapolis; John Kaiser, Chillicothe, O.; John Wright, Red Wing, Minn.; Norman G. Olson, Nashwauk, Minn.; W. H. Aiken, Grand Rapids, Minn.; Sim E. Heller, Grand Rapids, Minn.; N. F. Hall, Minneapolis; William G. Mussman, Minneapolis; Bob Euler, Dallas, Texas; William Elson, Minneapolis; O. C. Christopher, Minneapolis; Ted Karatz, Minneapolis; Jos. Podloff, Minneapolis; B. J. Benfield, Morris, Minn.

E. T. McCarthy, Fergus Falls, Minn.; W. T. McCarthy, Fergus Falls; M. Thompson, St. Paul, Neb.; Lee W. Newbury, Belmar, N. J.; G. L. Berquist, Chisholm, Minn.; Al Charon, Minneapolis; F. R. Puffer, Cresco, Ia.; Ben Marcus, Ripon, Wis.; A. P. Bill, Minneapolis, R. C. A. Mfg. Co.; I. E. Swirnoff, Neillsville, Wis.; Robert Wile, Press; E. M. Hartley, N. Y., Nat'l Theatre Supply; Geo. Kerasotes, Springfield, Ill.; Nick Kerasotes, Springfield; Louis Kerasotes, Springfield; Don W. Buckley, Redwood Falls, Minn.; John Henry Hiser, Bethesda, Md.; Benjamin Tendler, Washington, D. C.; Milton C. Weisman, New York, I. T. O. A.

Harry Brandt, New York, I. T. O. A.; W. Mansfield, Tama, Ia.; H. W. Peterson, Chicago; J. P. Adler, Marshfield, Wis.; E. J. Myers, Chillicothe, O.; Van Nomikos, Chicago; Nathan Fisher, Minneapolis; Henry J. Green, Minneapolis; Geo. F. Westerman, Milaca, Minn.; Sidney Volk, Minneapolis; Bennie Berger, Minneapolis; Ted Manns, St. Paul; Leo A. Backer, Browns Valley; A. H. Blank, Des Moines; S. J. Backer, Hankinson, N. D.; B. L. Larkin, Madelia, Minn.; Sol Fisher, Minneapolis; Geo. C. Gold, Glencoe.

Gerald Kerr, Dallas; L. M. Threet, Dallas; Philip Bland. Chicago; W. P. Grossman, Nevada, Ia.; O. J. Benjamin, Nevada; W. R. Hiller, Marshall, Minn.; George Crane, Cambridge, Minn.; Arnold Crane, Lake City; W. C. Schneider, Monticello,; A. Engler, Hopkins; Frank Koppelberger, La Crosse, Wis.; L. G. Roessner, Winona; Frank Woskie, Parkway, Minneapolis; Carl S. Goodman, Chicago; Geo. G. Baker, Britton, S. D.; Roay A. Chartier, New York City; Ben Friedman, Minneapolis; Sidney Samuelson, Newton, N. J.; Herman Jochims, Luverne.

L. T. Molitor, Norwood, Minn.; Frank C. Fowler, Forest Lake; W. R. Frank, St. Paul; P. C. Schram, Kalamazoo, Mich.; Ray Branch, Hastings, Mich.; H. B. Johnson, Minneapolis (Universal); Archie Zacherl, Universal; Jos. Fieldman, Universal; Don Guttman, Universal; Ted Hays, Alexander Film; A. J. (Jimmy) Long, Alexander Film; Bill Volk, Minneapolis; E. Thornton Kelley, New York; M. A. Rosenberg, Pittsburgh; Max Cohen, Brooklyn; Fred J. Herrington, Pittsburgh; S. J. Mealey, Monticello, Minn.; Will J. Glaser, Faribault; Minn.; Irving Rachrach, Faribault; Harry Nichols, Hollywood; Harry I. Waxmann, Atlantic City; W. Rasmussen, Leroy, Minn.; Andrew Jacobson, Alexandria; Ben Ashe, Fergus Falls.

## *Ticket Price Protest Shuts London House*

LONDON, June 14.—The Leicester Square, film house in the West End, has been deprived of its license for July 1 and 2, following the complaint of a patron that he had been induced to buy expensive tickets when cheaper seats were empty in the theatre.

This is the first instance of a theatre losing its license under the recently inaugurated seat price rules of the London County Council. The house may ask a new license after July 2.

# Short Subject Reviews

## *"Man Made Island"*

(*Columbia*)

Treasure Island, base of the Francisco World's Fair, is att tively presented in color. Colo exhibits seen are the imposing To of the Sun, Court of the Moon, Evening Star statue, the Arch Triumph, the Lakes of the Nation tour of the amusement section an view of the foreign pavilions. N shots in the color camera are part larly well photographed. Run time, 10 mins.

## *"Tempest Over Tunis"*

(*20th Century-Fox*)

This "Magic Carpet" short prov a picturesque view of the Fre colony. After some intimate shot native customs, the reel shows defense measures takes by the Fre Government to prevent invasion. worthwhile travelogue. Running t 11 mins.

## *"Sports Immortals"*

(*20th Century-Fox*)

Ed Thorgersen dips into the his of sport and brings back to the sc the leading athletes of yesteryear. are shown against a background of sports in which they excelled. Incl are "Red" Grange, Helen Wills, anne Lenglen, Barney Oldfield, Gr Alexander, Babe Ruth, Knute Roc Man O' War, Gertrude Ederle, Pa Nurmi, Jack Dempsey, Bobby J and Sonja Henie. An excellent ject for sentimental sport fans. should please. Running time, mins.

## *"Good Neighbors"*

(*20th Century-Fox*)

Striking aerial views of S America highlight this travelo After a quick view of a numbe the larger cities below the Equa and several shots of Inca villages, camera takes to the air for a loo the Andes Mountains. Outstan photography. Running time, 11 m

## *Sam Houston's So Fails to Stop Fi*

HOUSTON, Texas, June 14.—Ha County District Court today de the application for a preliminary junction in the $1,000,000 libel filed by Andrew Jackson Houston, year-old son of Sam Houston, aga Republic Productions, Inc., and ot in connection with the film "Ma Conquest."

Defendants include Republic tures of Texas, the Interstate Cir and the Horwitz-Texan Theatre here. The suit charged the film jures the memory of Sam Hous subject of the biographical film.

## *Film Library Sues*

Charging loss of negatives and m ter positives of ten films, Stone F Library filed suit yesterday for $ 400 damages against the DeL Laboratories, Inc., in the Supr Court. The negatives were destr by fire in 1937.

# ıdopt Code, Allied Urged By Rodgers

(Continued from page 1)

much to do in preparing the code hat it "lacked sincerity." He at- d the cancellation clause.

be Montague, Columbia general s manager supported Rodgers in ending the pact, saying it repre- ts one of the greatest steps for- rd in his 30 years in the business.

ol. H. A. Cole, Allied president, his address said Allied "has not ndoned its policy of theatre di- cement, either by court or legisla- e action."

### Membership Divided on Code

Although today's session was alded in advance as an open forum, Allied rank and file took no part it. Applause was about evenly di- ed for the distributor defendants the pact on the one hand and its ied critics on the other.

There was no decisive indication of w the majority of Allied members nd on the code question. If any- ng, the meeting today indicated a rp division of opinion between the mbership and Allied's officers, ny of the former obviously not ring Steffes' view that the code uld be "torn up" and an arbitration tem to hear all complaints arising the future be set up in its place.

No membership vote on the code is arded as likely, but the directors l ballot on it tomorrow.

### Asks "50-50" Break

.T.O.A. of New York will sign the de practice code, asking changes y in the arbitration provisions ich will give independent exhibitors '50-50 chance," Harry Brandt told convention.

Addressing the afternoon session, h Brandt and Milton C. Weisman, .O.A. counsel, urged Allied dele- es to accept the code as "a step the right direction."

'It's either the code or regulation the industry by legislation," Brandt d.

## Plan Yiddish Feature

Carmel Productions has acquired rights to Chawer Pawers' drama- ation of the novel, "Fischke der umme," by Mendel Mechas-Phurim, d will produce it as a Yiddish film. gar G. Ulmer will direct.

## Buenos Aires Puts Ban on 'Nazi Spy'

**City authorities of Buenos Aires have issued an edict barring the showing of Warners' "Confessions of a Nazi Spy" in all theatres in the city's metropolitan area, according to a Trans-Radio broadcast by Arthur Hale over the Mutual network last night. Warner officials there said they would appeal the ruling. This is the first American film ever to have been barred in Buenos Aires. No explanation was given.**

# *Camera Snaps Relaxing Delegates*

**Left to Right: Oscar Kenriken, Grafton, N. D.; F. J. McWilliams, Madison; Julius Overmore, Hillsboro, N. D.; M. C. Cooper, Grand Forks, N. D.**

**In the group are: John D. Kalafat, M. S. Fine, Howard Reif, G. W. Erdmann, Max Lefkowitz, all Cleveland; H. M. Richey, RKO; Jerry Steele, Oberlin, O.**

## *Spitz in Chicago; Plans Frisco Trip*

CHICAGO, June 14.—Leo Spitz arrived here yesterday from Rochester, Minn., following his recuperation from a recent operation. He will remain here a few days, and be joined by Mrs. Spitz, who is coming on from New York to meet him. On June 24 they will leave for San Francisco.

## *Bank Night Suit*

TROY, O., June 14.—Suit for $128 has been filed against C. F. Pfister, manager Troy Amusement Co., by A. J. Attenweiler, who a few days ago caused Pfister's arrest for operating Bank Night at the Mayflower here. Plaintiff asks judgment under the Ohio lottery law for $28, representing payment of 20 cents admission for 140 weeks, in addition to asking $100 damages.

## *Retitle Heifetz Film*

HOLLYWOOD, June 14.—"They Shall Have Music" is the new title of the Samuel Goldwyn-U. A. film starring Jascha Heifetz in his screen debut. It has been known as "Music School."

**A right cross to the jaw of W. A. (Al) Steffes, is delivered with a smile by Abram F. Myers, in an idle moment at the Allied national convention in Minneapolis.**

# 'Sun' Clears $15,100 in 2 L.A. Theatres

LOS ANGELES, June 14.—"The Sun Never Sets" and "Code of the Streets" cleared $15,100 at two houses here, $7,500 at the Hillstreet and $7,600 at the Pantages.

"Goodbye, Mr. Chips" took $7,100 in its fourth week at the 4 Star.

Estimated takings for the week ending June 14:

**"Goodbye, Mr. Chips" (M-G-M)**
4 STAR—(900) (40c-50c) 7 days, 4th week. Gross: $7,100. (Average, $3,250)
**"The Sun Never Sets" (Univ.)**
**"Code of the Streets" (Univ.)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $7,500. (Average, $6,500)
**"Young Mr. Lincoln" (20th-Fox)**
**"The Jones Family in Hollywood" (20th-Fox)**
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $11,000. (Average, $14,000)
**"The Sun Never Sets" (Univ.)**
**"For Love or Money" (Univ.)**
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $7,600. (Average, $7,000)
**"Invitation to Happiness" (Para.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. Ice Revue. Gross: $15,000. (Average, $18,000)
**"King of the Turf" (U. A.)**
**"Women in the Wind" (W. B.)**
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $9,300. (Average, $12,000)
**"King of the Turf" (U. A.)**
**"Women in the Wind" (W. B.)**
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $9,800. (Average, $14,000)
**"Young Mr. Lincoln" (20th-Fox)**
**"The Jones Family in Hollywood" (20th-Fox)**
WILSHIRE—(2,300) (30c-$1.00) 7 days. Gross: $9,200.

## Employment Agency Measure Is Vetoed

ALBANY, June 14.—Governor Lehman has vetoed the Ostertag bill to regulate fee-charging employment agencies. Executive objections were to local administration of the proposed law rather than by the state labor department. Mayor F. H. LaGuardia of New York and organized labor opposed the bill.

The bill, as passed, provided for strict regulation of theatrical employment agencies and artists representatives. License Commissioner Paul Moss would have administered the law in New York City, with powers to revoke or suspend licenses for infractions.

## Sponsor Buys All Seats

General Foods Corp. has purchased from Great States Circuit all tickets for the June 25 opening of Jack Benny's Paramount film, "Man About Town," in the comedian's home town, Waukegan, Ill. Tickets will be given to residents making written application. Benny's final Jello broadcast of the season will be made from the Genesee Theatre. General Foods is his sponsor.

## New Wanger Title

Walter Wanger announces the selection of the title, "Eternally Yours," for the screenplay by Gene Towne and Graham Baker, hitherto known as "Whose Wife?"

## Rebush Sets First Film

Roman Rebush, who recently organized Credo Pictures, Inc., plans "Mirele Efros," based on the novel by Jacob Gordin, as the first of four Jewish films planned.

# New York Previews

### "Daughters Courageous"

*(Warners)*

For human, romantic and heart-tugging qualities, for the performance of its cast and sheer entertainment, "Daughters Courageous" deserves a niche all its own in the annals of hot weather releases.

The women will love it, and it will please pretty nearly everybody.

Showmen definitely have something to sell—the majority of the players were in "Four Daughters," the three Lane sisters, Gale Page, John Garfield, Claude Rains, May Robson and others. The film has the same box-office appeal as "Four Daughters."

As directed by Michael Curtiz from a screenplay by Julius and Philip Epstein, the plot carries consistent suspense to the fadeout. The story of domestic involvements could very well have become complicated, but deft handling draws along the main line, with sketched-in byplots relieving dramatic situations.

The story is of the Masters family, the mother (Fay Bainter) and four daughters. The mother has just sealed her engagement to an old friend, Donald Crisp, and the family looks forward to a comfortable future, when home comes the prodigal father, Claude Rains, who yearns for the hearth after 20 years of imagining he had a rendezvous with the universe.

The family, of course, treats him coldly, the sting of desertion being a sharp one to heal. But he takes it all in his stride, and by his charm, wistful affection and thoughtfulness breaks down the daughters' opposition, one by one.

Soon there is a bombshell in the family when Priscilla declares her love for John Garfield, an irresponsible son of a fisherman. The mother pleads with her not to throw away her life as she had done when she married Rains.

Rains gives Priscilla encouragement to follow her own heart, until Miss Bainter pleads with him to prevent the daughter from doing the unwise thing, and then he is instrumental in convincing the young man that Priscilla is not for him.

The plot is resolved as Rains, agreeing that his presence is not desirable, wanders off again with Garfield as a companion, and Priscilla tearfully and courageously decides to forget.

The cast also includes May Robson, Jeffrey Lynn, Frank McHugh, Dick Foran, George Humbert, Berton Churchill.

The story was suggested by the play, "Fly Away Home." Henry Blanke was associate producer. Running time, 107 minutes. "G."*

---

**"G" denotes general classification.*

### "Stolen Life"

*(Orion-Paramount)*

Those film patrons who have discovered in Elisabeth Bergner one of the leading artists on the screen, will find in "Stolen Life" one of her outstanding performances. Here, cast in the dual role of twin sisters, Miss Bergner displays her virtuosity; on the one hand, as Martina, she is sincere, generous and forthright, on the other side, as Sylvina, piquant, but grasping and dishonest.

The story is a trifle slow in getting under way and maintains a leisurely pace throughout but succeeds in building up to many tense and dramatic moments. The scene where Sylvina perishes, after being accidently cast overboard from a sailboat during a storm, is an eloquent bit of camera technique.

Alan McKenzie (Michael Redgrave), an explorer, discovers Martina during a mountain climbing jaunt and a strong friendship develops. Without realizing it, he subsequently meets the twin, Sylvina, who flirtatiously steals his love. McKenzie marries Sylvina and leaves on an expedition shortly thereafter. When Sylvina drowns, the rescue party mistakes Martina for her sister and Martina decides to continue the deception in the hope of regaining McKenzie's love. Ultimately, she discovers the disagreeable facets of Sylvina's character, learns that McKenzie was about to divorce his wife, and Martina then renounces the pretense.

Redgrave gives a creditable performance as the husband and Wilfrid Lawson is well cast in the supporting role of the girl's father. Paul Czinner, producer and director, did much to make this story a moving and intriguing tale instead of the usual feminine battle for the man who is loved. Margaret Kennedy adapted K. J. Benes' novel for the screen. Several scenes dealing with Sylvina's indiscretions make the film unsuitable for children.

Running time, 89 minutes. "A."* ED GREIF

---

**"A" denotes adult classification.*

# 'Heaven' Tips Boston Scale With $14,50

BOSTON, June 14.—"East Side
Heaven" and "Mr. Moto in Dang
Island" at the Keith Memorial
the town with $14,500.

"Juarez" and "Women in the W
took $13,500 at the Metropolitan
the second week.

Estimated takings for the week en
ing June 7:

**"Panama Patrol" (G. N.) (4 days wi vaude.)**
**"Racketeers on the Range" (RKO) (4 da with vaude.)**
**"King of the Underworld" (W. B.) (3 day**
**"Almost a Gentleman" (RKO) (3 days)**
RKO KEITH BOSTON—(3,200) (20c-3
40c). Gross, $7,500. (Average, $8,500)
**"East Side of Heaven" (Univ.)**
**"Mr. Moto in Danger Island" (20th-Fox**
KEITH MEMORIAL—(2,907) (25c-3
40c-55c) 7 days. Gross, $14,500. (Avera
$14,500)
**"You Can't Get Away with Murder" (W.**
**"Chasing Danger" (20th-Fox)**
PARAMOUNT—(1,797) (25c-35c-40c-55c)
days. Gross, $7,000. (Average, $8,000)
**"You Can't Get Away with Murder" (W.**
**"Chasing Danger" (20th-Fox)**
FENWAY—(1,382) (25c-35c-40c-55c)
days. Gross, $5,000. (Average, $5,300)
**"Juarez" (W. B.)**
**"Women in the Wind" (W.B.)**
METROPOLITAN—(4,332) (25c-35c-4
55c) 7 days. 2nd week. Gross, $13,5
(Average, $14,500)
**"Only Angels Have Wings" (Col.)**
**"Society Lawyer" (M-G-M)**
LOEW'S ORPHEUM—(2,900) (25c-3
40c-55c) 7 days. Gross, $13,000. (Avera
$14,500)
**"Only Angels Have Wings" (Col.)**
**"Society Lawyer" (M-G-M)**
LOEW'S STATE—(3,600) (25c-35c-4
55c) 7 days. Gross, $10,500. (Average, $1
500)
**"Wuthering Heights" (U. A.)**
**"Gracie Allen Murder Case" (Para.)**
SCOLLAY—(2,500) (25c-35c-40c-50c)
days. Both 2nd run. Gross, $5,500. (Av
age, $5,000)

## Propose New Ticket Levy in Wisconsi

MADISON, Wis., June 14.—Becau
of popular opposition to a general sa
tax, administration leaders have aba
doned this proposal and have intr
duced a tax measure which includes
three per cent theatre tax.

It is estimated that the admissi
tax will raise $600,000 during the ne
two years. The new tax program
a modification of a plan previous
presented by the governor, whi
called for an occupational tax
theatres, designed to raise $300,0
annually.

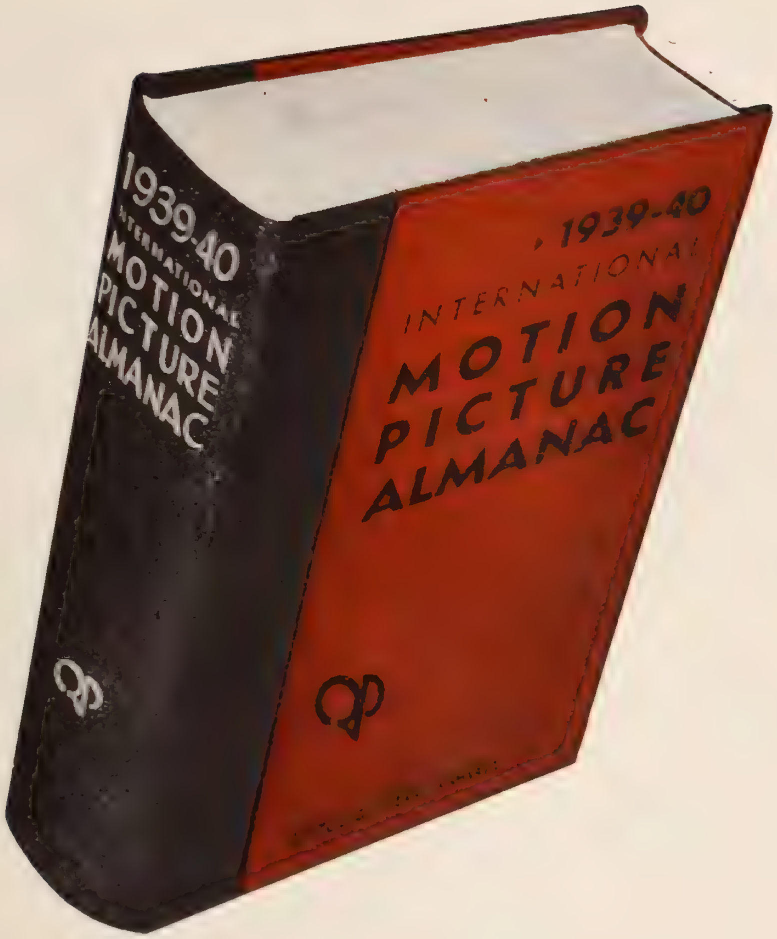
The admission tax would also
assessed against athletic amusemen
exclusive of schools.

## Theatre Retires Stock

TORONTO, June 14.—The retireme
of half of the $125,000 seven per ce
preference shares of Paramou
Oshawa Theatres, Ltd., out of cu
rent revenue at a premium of $
above par value of $100, has been a
nounced, the other half of preferr
stock being replaced by a new iss
bearing five per cent interest. T
company, which operates the Rege
Oshawa, is a subsidiary of Famo
Players Canadian Corp.

## Benny Film Previewed

Paramount last night played ho
to the trade and daily press at a pr
view of the Jack Benny picture, "M
About Town," at the Paramou
Theatre. The showing was preced
by a dinner and floor show at t
Hotel Paramount.



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# MOTION PICTURE ALMANAC

ROCKEFELLER CENTER, NEW YORK

# U. S. Awaiting Mexico Action On Radio Pact

WASHINGTON, June 14.—Nine applications for new broadcasting stations or expanded facilities are being held up by the Federal Communications Commission, pending ratification of the North American regional broadcasting agreement by the Mexican Government.

It was explained that the applications conflict with or involve the agreement, and that granting of them might lead later to difficulties when the treaty becomes effective. The pact has been ratified by the United States, Canada and Cuba, and only Mexican approval is necessary to make it operative.

Applications on which action has been suspended, it was said, include new station requests of the Evening News-Press, Port Angeles; Michael J. Mingo, Tacoma; and Tacoma Broadcasters, Inc., Tacoma, Wash.; St. Lawrence Broadcast Co., Ogdensburg, N. Y.; Cuyahoga Valley Broadcasting Co., Cleveland, and King-Trendle Broadcasting Corp., Grand Rapids, Mich., and applications for changes in facilities of KEEN, Seattle; KSEI, Pocatello, Idaho, and WSBT, South Bend, Ind.

## *Met. Air Auditions Set for 87 Stations*

Sherwin-Williams Paint Co. has signed with NBC for 87 stations of the Blue network, Sundays beginning Oct. 1, for the "Metropolitan Auditions of the Air." Warwick & Legler is the agency.

Two other renewals are, General Mills for the serial strip, "Jack Armstrong," 15 stations of the Red network through the Knox Reeves agencies. and Ralston-Purina for its series on the Blue, through the Gardner agency.

B & W Tobacco Co., for "Plantation Party," has just ordered 10 additional stations for the series, making a total of 73 stations.

## *'Magic Key' Show On 'Second Fiddle'*

Entire program of the RCA "Magic Key" hour June 26, inaugurating the new night series of the show, will feature music, scenes, and personalities appearing in "Second Fiddle," forthcoming 20th Century-Fox picture. The Blue network of NBC will carry the broadcast, from 8:30 to 9:30 P. M.

The broadcast will be picked up from Oslo, Norway, London, Buenos Aires, New York and Hollywood, and will feature Rudy Vallee, Mary Healy, Irving Berlin, Darryl Zanuck and Sidney Lanfield. Lou Silvers' and Frank Black's orchestras will provide the music.

Miss Henie will play a scene from the picture from Oslo, where she will be vacationing. Tyrone Power, Zanuck and Lanfield will broadcast from Hollywood, and Vallee from New York.

## *Postpone MPPDA Meet*

Meeting of M. P. P. D. A. directors scheduled for yesterday has been postponed. It may be held next week.

# BANNER LINES

### By JACK BANNER

**GROVER WHALEN ON M-G-M SHOW** . . . Frank Morgan, now vacationing here, will broadcast his part of the M-G-M show tonight from the World's Fair grounds. Grover Whalen has consented to go on the air with him, and they will do a comedy skit. It's about the first time that the imperturbable Whalen will let his hair down in public.

▼

**FREE TELEVISION SETS** . . . RCA is offering local radio editors free installation of television receivers either in their homes or their offices.

▼

**CBS SIGNS STATIONS** . . . Five-year contracts, effective this Fall, have been signed by CBS with two of the network's basic stations, WJR, Detroit, and WGAR, Cleveland. Former joined CBS last year, latter has been with CBS for four years.

▼

**REFUGEE BENEFIT AIRED** . . . CBS has arranged with the American Committee for Christian German Refugees to broadcast the peak of tonight's benefit show from the Garden. Broadcasting will start at 12:30 A. M.

▼

**PERSONALS** . . . Jack Adams, formerly of Erwin Wasey, leaves by motor this morning with Mrs. Wasey for Fort Worth to take up his new duties as vice-president and general manager of the Texas State Network. Adams was radio director of the agency. . . . Norman Weiser of Radio Daily going to the Jewish Memorial Hospital this morning for an appendectomy. . . . Harold and Mrs. Oxley, and daughter, sail for Europe on the *Ile de France* next week. Oxley is manager of the Jimmie Lunceford orchestra. . . . Cesar Ladeira, owner of the biggest station in Brazil, is in New York. . . . Bob Brenner, who formerly broadcast over a number of New York stations, now program director of WFTC, Kingston, N. C.

▼

**DELAYED BY HITLER** . . . March 13, 1938, a broadcast of folk music from the Grossglockner mountain region of Austria, was on NBC's schedule for a pick-up. That day Hitler's troops marched into Austria and the broadcast never took place. Yesterday came cable word from Max Jordan, NBC's European representative, notifying the network that the same show is again available. NBC will make the pick-up Sunday.

▼

**PRESS SCOOP** . . . Bill Maloney, press representative for Kate Smith and Ted Collins, came through with the prize "break" during the recent visit of the King and Queen to Washington. In the Capital, he arranged with the U. P. for a writer to be assigned to Miss Smith at the CBS studios of WJSV after her repeat broadcast, at which time she gave the first story concerning happenings during the White House dinner for their Majesties. (No reporters were allowed at the dinner.) Working with the reporter, Maloney was able to get a by-line story for Miss Smith syndicated on all U. P. wires—even beating Mrs. Roosevelt's "My Day" column about the dinner.

▼

**P & G RENEWS FOUR** . . . Executive orders for four renewals of P & G shows were received at NBC yesterday. The renewals, each for a year, are for "The O'Neills," "Vic and Sade," "Story of Mary Marlin," and "Pepper Young's Family."

▼

**NEW NEWS PROGRAM** . . . Palmer Bros. have signed for the Blue network for a Sunday news program to come from New York and Washington, Commentator, however, is yet to be selected.

▼

**ABOUT BABE RUTH** . . . Babe Ruth, attending the Memorial Baseball festivities at Cooperstown, was asked by radio announcers to say a few words on the air, but the Babe refused to talk. Later, at the sports program from the World's Fair, Ruth asked to be allowed to go on the air, but this time he got the "brush off."

▼

**CBS MEN ON CLIPPER** . . . Bob Trout, CBS announcer, and Clyde Houldson, a short-wave engineer, will be on board the Pan-American Airways' Atlantic Clipper when the plane leaves for Europe Sunday. They will broadcast several times while crossing the ocean.

## *New Trade Protest On British Taxation*

LONDON, June 14.—Tax concessions in the amended budget of Chancellor of the Exchequer Sir John Simon, described by the trade as highly inadequate, brought new and vigorous protests today.

The newsreel association met today and immediately sent telegrams to members of Parliament asking assistance in the fight. New joint trade action on the tax situation is expected at a meeting Monday.

## *Mexican Musicians Ask Employment Law*

MEXICO CITY, June 14.—National Musicians Syndicate, which claims a membership of 90,000, has asked President Lazaro Cardenas for legislation requiring the employment of musicians in theatres and other amusement centers, replacing mechanized music.

The group also is seeking a ban on all foreign musicians. It contends phonographs and radio are depriving many musicians of employment.

# 4-Year Prob Yields 'Mild AT&T Repor

WASHINGTON, June 14.—In its fi report on the American Telephone Telegraph Co., the Federal Co munications Commission today m a number of suggestions on poli the company without making spec recommendations in respect to A. T. & T.'s activities in radio a films.

The F. C. C., in the 916-page port, asks that the commission given greater authority over pr tices, regulations and charges in c nection with chain broadcasting.

### Inquiry Cost $1,500,000

The inquiry into the A. T. & was undertaken more than four ye ago and cost $1,500,000.

Recommendation that the telephc company license others to use the T. & T.'s radio and motion pict patents is strongly urged in the port.

The report, sent to Congress, proved "in principle, and largely substance," the "proposed repo made public April 1, 1938, it was clared by Commissioner Paul Walker, who was in charge of the vestigation.

### Research Work Cited

"In the event of the refusal of a common carrier utility engaged interstate communications to lice others upon reasonable terms un any patents obtained in connect with communication service to general public as a common carr utility," the F. C. C. urges, "the co mission should be empowered, up the application of parties so refus to order the issuance of such licen provided that the granting thereof v not be detrimental to the commu cations service rendered by the util holding such patents and not det mental to technical progress.

"The A. T. & T. is now conducti research in newer forms of comn nication, including television and ul short wave radio, which may co pete directly with the service affor by the Bell System."

"This has given rise to cert claims of unjust discrimination in stances where wire facilities of ot carriers have been offered to broa casting stations on a basis of charg apparently much lower than th made by the Bell System. Those co plaints involve several problems wh must be handled in the light of facts appearing in each particu case."

## *New Station in Alask*

SEATTLE, June 14.—Business offi have been opened here by No America's farthest-North radio broa casting station, KFAR, now un construction in Fairbanks, Alas KFAR will have power of 1,( watts, and will be the most power commercial station in Alaska. Broa casting begins about Sept. 15.

## *Take WFIL Program*

Hollywood Health Bread Co. sponsoring "Keep Fit to Music" WFIL, through the Richard A. Fo agency. The series, a cooperative sponsored show on mutual, originat from WLW, Cincinnati.

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o the Motion
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ndustry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 116 NEW YORK, FRIDAY, JUNE 16, 1939 TEN CENTS

# Code Rejected By Allied; Rodgers to Drop Talks

## mnusements Pick Jewish Drive Chiefs

### 0,000 New York Quota Will Aid Refugees

lm people and members of other sement fields throughout the coun- are being solicited in the present onwide campaign of the United ish Appeal for Refugees. The onal quota is $20,000,000.

ocal committees have been set up, amusement divisions in a number ities.

he New York amusement division eeking $250,000. Its drive will inue another month, and the inten- is to solicit everyone in the film, trical, radio, music and allied s.

**David Bernstein Chairman**

avid Bernstein, vice-president and surer of Loew's, is chairman of amusement division. Albert War- vice-president of Warners. is co- man. Vice-chairmen are Barney iban, Paramount president; N. J. nberg, president of Universal, and Cohn, Columbia vice-president.

ommittee representation follows:

olumbia — Abe Schneider, Max gman, Nathan D. Spingold.

lucational Pictures—Jack Skirbal.

ew's-M-G-M—Oscar Doob, Leo- Friedman, Arthur M. Loew, rles C. Moskowitz, Joseph R. l.

ational Screen Service—Herman bins.

the—Fred Ullman, Jr.

ramount—Arthur Israel, Jr.

KO—Leon Goldberg, Malcolm sberg, Jules Levy, Phil Reisman.

public Pictures — Herman B. man.

**ilm Companies Represented**

ventieth Century-Fox—Joseph H. kowitz.

niversal Pictures—Samuel Mach- ch, Joseph Seidelman.

arner Bros. — Max Blackman, Levey, Sam E. Morris.

nited Artists—Murray Silverstone, N. Lazarus.

dependent Producers—Budd rs.

oreign departments and film im- ers—Max A. Schlesinger.

otion picture operators—Joseph Basson.

otion Picture Producers and Dis- tors of America—Isroy M. Norr.

oadcasting — Donald Flamm, man.

ostumes and uniforms—James E. ock.

dependent theatre owners—Harry

(Continued on page 2)

### Cole and Kuykendall Accept Hopkins' Bid

**Washington, June 15.—Invitations extended yesterday by Dr. Willard L. Thorp, special assistant to Secretary of Commerce Hopkins, to Ed Kuykendall, M.P.T.O.A. president, and Col. A. H. Cole, National Allied president, to confer with Washington officials on film industry problems were accepted today by both leaders.**

**Kuykendall wired that a group of M.P.T.O.A. officials would meet with Federal authorities here on June 21. Cole telegraphed that Allied officers would not be able to come to Washington before June 26.**

**Kuykendall, in his wire, said that "M.P.T.O.A. will subscribe to anything beneficial to the industry," but asked for a preliminary conference in Washington Monday to learn the nature of Hopkins' study and decide then whether its aims permit M.P.T.O.A. participation.**

### *Pact Does Not Remedy Major Abuses, Board Says In Decision*

By SHERWIN A. KANE

MINNEAPOLIS, June 15.—Allied States rejected the proposed trade practice code and rules of arbitration at the closing session of the organization's tenth annual convention at the Nicollet Hotel here today.

No vote was taken by the delegates, but a belated resolution offered just before the close of the convention with about half the delegates present, calling for approval of the Allied negotiating committee's report and recommendation, was passed.

It was revealed by H. A. Cole, Allied president, that the board of directors had approved the negotiating committee's report on Tuesday, before any discussion of the pact had been conducted on the convention floor and before the widely-heralded open forum had taken place.

Cole said announcement of this had been deferred to permit change of action in the event convention developments warranted one.

Immediately upon hearing of the board's action, William F. Rodgers, chairman of the distributors' negotiating committee, informed the convention that he was withdrawing the trade practice proposals insofar as any further negotiations with Allied are concerned.

He stated, however, that the code would be open for acceptance by exhibitors individually, and many delegates stated frankly that they had no intention of refusing the concessions offered by the pact.

Grounds on which rejection was voted by the board and negotiating committee were that "the code does not provide an effective remedy for major abuses complained of by Allied; that the final draft "does not fully and accurately" reflect the substance of the negotiations and representations made by the distributors, that reports have been received that "distributors already are taking steps to circumvent and nullify the moderate concessions offered."

It was further contended that acceptance would handicap exhibitors in seeking other relief, would hinder the Government in prosecution of anti-trust suits and would aid distributors in combating the Neely bill.

**Spirited Pleas for Code**

Announcement of the board's action was preceded by spirited pleas for adoption of the code by Austin Keough, Paramount vice-president and secretary; Neil F. Agnew, Paramount vice-president and distribution head; H. M. Rickey, RKO special representative; and Ed Kuykendall, M. P. T. O. A. president.

Keough denied that the final draft of the code varied at all in spirit from the memorandum prepared by Allied's negotiating committee, as charged at Wednesday's session. He defended the attorneys' part in the preparation of the code, stating their job was to put the provisions into effect legally and with the idea that they would work.

Agnew, urging acceptance of the

(Continued on page 3)

## Rule on Television Ours, Says Equity

With the passage of the deadline set by Actors Equity for the Associated Actors and Artistes of America to determine jurisdiction over the television field, Equity declared yesterday that it will proceed to organize the field.

"When the A.A.A.A. raised the question and failed to follow it through with a decision, they clearly left the next move up to us," Paul Dullzell, executive secretary, stated.

"We cannot at this time disclose the methods or starting date for this drive but we wish it to be known that Equity has jurisdiction and intends to exercise it."

Equity originally set June 7 as the last day for a 4-A decision, but waited an additional week before reasserting its claim.

When Kenneth Thomson, executive secretary of Screen Actors Guild, returned to the Coast last night, the possibility of an early decision by the 4-A's was precluded.

## UA Asks for Facts, Calls U. S. Evasive

United Artists Corp. filed notice in U. S. District Court yesterday that it will apply to Federal Judge Clancy on June 20 for a more detailed bill of particulars in the Government's anti-trust suit.

Supporting the demand, an affidavit of Edward C. Raftery, attorney for United Artists, characterized the previous bill filed by the Government as "most evasive" and declared that United Artists, as neither a producer or exhibitor "should not be a party to this action in any manner whatsoever."

In addition, the notice contained a demand that the complaint be dismissed or, in the alternative, that part of the complaint referring to United Artists be stricken out for failure to file a proper bill.

United Artists also asks for sixty days for filing of a further bill to answer the complaint. Most of the items asked for by United Artists are

(Continued on page 3)

# RKO Opening Sales Meeting Here Monday

RKO sales delegations from the west and midwest are scheduled to arrive over the weekend for the company's annual sales convention, which will open Monday at the Westchester Country Club, Rye, N. Y., and run through Thursday.

A. A. Schubert, RKO manager of exchange operations and general convention committee chairman, has virtually completed details of the meeting.

A record number of sales executives from foreign offices of RKO will attend the meeting this year.

Thursday, the final day of the convention, has been designated as "RKO Radio Day" at the New York World's Fair. Attending at the Fair will be Anna Neagle, star of "Nurse Edith Cavell," and Herbert Wilcox, producer of the film, who will come on from Hollywood for the convention, arriving on Wednesday.

### Increase Music Department

Hollywood, June 15.—Dave Dreyer, head of the music department of the RKO studio, will increase his personnel by about 25 per cent for the new season's production schedule. Alfred Newman and Russell Bennett have been recalled to the staff. Roy Webb will supervise the scoring of a number of films.

## *Warners Open New Washington House*

Washington, June 15.—Warners' newest local theatre, the Kennedy, was opened here tonight with appropriate ceremonies. It was dedicated by Commissioner Melvin C. Hazen and accepted on behalf of the community by D. W. Gabelein, president of the Chillum Heights Citizens' Association.

A delegation from the Warner home office was headed by Joseph Bernhard, head of Warner Theatres. Attending were Herman Maier, Warners' chief of construction; Major Nathan Levinson, Warner studio sound department head; Frank Cahill, John Eberson, architect who designed the house; Sam Golder, William Gedris, I. J. Hoffman, Harry Goldberg, Leonard Schlesinger, Charles Kenney, Harold Rambusch, Drew Eberson, H. E. Schwarz, Martin Bennett, Lief Neandross, E. Nilson, Joseph Holman and others.

Claude Land, former manager of the Colony, is manager of the Kennedy. Harris Shapero owns the theatre, with Warners operating under a long term lease.

## *Mecca Gives Lab Union a Contract*

M.P. Laboratory Technicians' Union, Local 702, signed a contract with Mecca Laboratories yesterday. Contract provides for pay raises ranging from one to three dollars, effective Sept. 1. Other terms are similar to those in recent contracts with DeLuxe and Consolidated and include one-week vacations with pay, a 40-hour week, and time and a half for overtime and holiday work.

# *Purely Personal*

Darryl F. Zanuck, 20th Century-Fox production chief, William Goetz, executive assistant to Zanuck, and Sam Silver left for the Coast last night by a special TWA plane after a few days in New York.

•

Murray Silverstone, Archie Mayo, Joe Malcolm, Harry Buckley, Arthur Kelly, James Mulvey, Mel Shaur, Harry Thomas lunching at the Tavern yesterday. Also, William German, Lynn Farnol, Harry Gold, Sam Citrin, John Wright, Henry Spitzer and Richard Rowland.

•

Kent Thomson, Screen Actors Guild executive secretary, boarded the TWA Sky Chief last night for Hollywood. Also on board were Frank Orsatti and Mr. and Mrs. Fred Astaire.

•

Mrs. William H. Garner, mother of Peggy Anne Garner, six-year-old RKO player, is in New York for a week conferring with RKO executives on her daughter's new seven-year contract.

•

Raymond Massey and the cast of "Abraham Lincoln in Illinois" attended a private screening of "The End of a Day," French film to be distributed here by Juno Films, Inc.

•

E. A. Helouis, office manager at Columbia's New York exchange, will leave June 24 for a two-week vacation. Jack Sokoloff, Brooklyn salesman, leaves Monday also for a vacation.

•

Walter Doniger, son of Harry Doniger, New Jersey exhibitor, has arrived at the coast to fulfill a writing contract which he recently signed with M-G-M.

•

Hal Danson of the Paramount home office is the father of a seven-pound son, his first, born to Mrs. Danson at the Harkness Pavilion, Medical Center, yesterday.

•

Mrs. L. M. Flynn, mother of Errol Flynn, arrives from England Monday on the *Scythia*.

•

Ernest Emerling of Loew's, and Mrs. Emerling returned yesterday from a tour of England, France, Switzerland and Italy.

•

Mrs. Tyrone Power, Sr., mother of the screen player, is in town at the Waldorf-Astoria for an indefinite stay.

•

William F. Rodgers, M-G-M; Gradwell L. Sears, Warners, and Abe Montague, Columbia, are due back over the weekend from the Allied convention in Minneapolis. Rodgers will stop off in Chicago en route.

•

Tom Connors, Charles E. McCarthy, Sydney Phillips, Marcus Heiman, Sam Shain, Harold B. Franklin, John Hicks, Ed Rigney, Edward Churchill (Donahue & Coe), and J. J. Milstein at Nick's Hunting Room in the Astor for lunch yesterday.

•

A. E. Munro, Munro Theatre, Rolla, N. D.; Maurice White, Forest Theatre, Cincinnati; Ike Libson, RKO Midwest Circuit, Cincinnati, and Richard Lashley, manager of the Wilby-Kincy Circuit, Greeneville, S. C., were visitors yesterday at the RKO lounge.

•

Robert Gillham, Paramount advertising and publicity chief, and Al Wilkie, publicity manager, are remaining on the coast for a week or two. They may go to Waukegan, Ill., for the premiere of "Man About Town," Jack Benny film.

•

Neil F. Agnew, Austin C. Keough and Charles Reagan, Paramount executives, are due Monday from Minneapolis, where they attended the Allied convention.

•

Jack Glenn, March of Time director, returned to New York yesterday after three months' work in Cuba and the southern states and in the Caribbean with the U. S. Navy.

•

Al Margolies, publicity director for United Artists, will move out to his summer home on Fire Island this weekend.

•

Gabriel Pascal, British producer, is expected today from the coast en route to England to produce his next George Bernard Shaw film.

•

J. Cheever Cowdin, Universal board chairman, has postponed his scheduled trip to London for a week or two.

•

Joseph Linett, Monogram cashier, and Gertrude Rosch will be married June 25.

•

Lew Seiler, Warner director, has received a new term contract.

# *The Newsreel Parade*

*President Roosevelt captures the spotlight in the new issues as he officiates at the West Point graduation exercises. The reels and their contents follow:*

MOVIETONE NEWS, No. 80—Roosevelt addresses West Point graduates. Italy's troops in Spain return. Gambling casino at sea. Flag industry in New Jersey. Rodeo in California. Twin convention. Emperor of Anman visits France. Duchess of Kent at charity festival. Nicaraguan president in California. Lew Lehr. Baseball anniversary. Polo match.

NEWS OF THE DAY, No. 278—President at West Point commencement. Duke and Duchess of Kent at fire drill. Open road over Rockies. Rodeo. Judy Garland's birthday party. Baseball celebration in Cooperstown. Polo.

PARAMOUNT NEWS, No. 81—Roosevelt urges peace at West Point. Glider spans Lake Michigan. Summer skiing. Norwegian Royalty in Montana. Japan-Britain dispute in China. Refugee ship at sea. Celebrate baseball centennial. National open golf tourney.

RKO PATHE NEWS, No. 95—Graduation at West Point. Baseball anniversary observed. War on New York slum districts. Skeet shooting competition. Cooley Dam nears completion. Fire fighting review in England. Greyhound racing.

UNIVERSAL NEWSREEL, No. 780—Roosevelt attends cadet graduation. Police demonstration in China. Legionnaires leave Spain. Bury Mexican flier. Gambling ship. Twins convene in Alabama. Cavalcade of baseball. Rodeo. International polo finals. Archbishop Schrenbs celebrates anniversary. Dedicate cow statue.

# Amusements Name Jewish Drive Chie

(*Continued from page 1*)

Brandt, chairman; William Bra
Leo Brecher, Simon H. Fabian, L
Frisch, Arthur L. Mayer, Louis
Nelson, Hyman Rachmil, W
Reade, Samuel Rinzler, San
Rosen, Max Rudnick, Edward
Rugoff, Rudolph Sanders, Au
Schenck, Fred J. Schwartz, San
Straussberg.

Laboratories—Alan E. Freedn
chairman; Jack Goetz.

Legitimate Theatre—Marcus
man, chairman; Howard Dietz, S
uel M. Forrest, Harry M. Goetz,
Gordon, Lee Shubert, Alex Yokel

Motion Picture Accessories—
jamin S. Moss, chairman; Sam D
bow, Jr., Emil Friedlander, Jos
Hornstein, Eugene Picker, Jos
Seider.

Music Publishers & Compose
Louis Bernstein, chairman; Ir
Caesar, Irving Berlin, Jack J. B
man, Jack Mills, Edwin H. Mo
Jack Robbins.

## *Sam Pokrass Dies; Composer for Fil*

Samuel Pokrass, composer
lyricist, died of a heart ailment
Roosevelt Hospital yesterday morn
He was 45 years old and was
in Russia. Before coming to
country, he composed many fam
compositions in Russia, the best kn
of which was "Tchto Mnie G
("What Do I Care").

For the last two years Pok
was under contract to 20th Cent
Fox and was responsible for the m
in "Rebecca of Sunnybrook Far
"Happy Landing," "Three Mus
teers," "The Little Princess"
"Wife, Husband and Friend." He
cently completed an operetta, "Cyr
de Bergerac," on which he wor
seven years, and plans were b
made to produce it on Broadway.

## *W.B. Outing Wednesd*

Warner Club of home office
ployes will hold the annual boat
to Bear Mountain next Wednes
More than 1,000 members and gu
are expected.

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# llied Board Rejects Code; Condemns It

*(Continued from page 1)*

le. pointed out that Allied frequent- has clamored for "unity in the try" and, with the code, was con- d with the opportunity of doing nething about it.

Richey related that exhibitors with hom he had come in contact all er the country want some regula- y procedure with which to begin de practice reforms.

"Let' try the code," he said, "If it's t all that it should be, at least, it's tart."

### Nothing Will Stop Suits Now'

Kuykendall emphasized that the le would aid 90 per cent of the ex- bitors and should be tried as the st procedure now available. He d. in his opinion adoption of the le would have no effect on prose- tion by the Government of anti- is suits.

'Nothing will stop the suits now," said. "It may be two years more ore it is determined, but it will be icluded only in court."

He warned the Allied membership Government regulation of the in- stry which might follow passage the Neely bill, declaring it to be terrible mistake" to indorse the l.

### Cites Chicago Situation

Spokesmen on behalf of the code re followed by Jack Kirsch, head Illinois Allied, and Abram F. yers, Allied general counsel. Kirsch ed theatre policies which he said isited in Chicago and could not be rrected by the code or arbitration.

"If distributors are sincere," he said, ey shouldn't object to making fur- er changes in the code. In the antime, exhibitors shouldn't disarm relinquishing legislative and court orts to achieve reforms."

Myers criticised suggestions that re- tion of the code and enactment of e Neely bill would lead to governmental regulation of the business. He charged that it is the distributors who are inviting Government intervention in the business by participating in current conferences with the Department of Commerce.

Resolutions condemning the making available of any films for 16mm. use and the appearance of film stars on radio programs were presented and adopted as the convention adjourned.

## Walk Out Protest By Distributors

**Minneapolis, June 15.—A distributor delegation consisting of William F. Rodgers, Metro sales manager; Abe Montague, Columbia sales manager; Gradwell Sears, Warners sales manager; Austin Keough, vice president of Paramount; and Neil F. Agnew, Paramount's sales manager, walked out of the Allied convention today in a body in protest after hearing the Allied board's reasons for rejecting the code.**

**"Several of the reasons given," Rodgers said later, "are factually incorrect. That we failed to get in touch with Allied on the code after Jan. 16 is disproved by the fact that Myers (Allied general counsel) was in negotiation with our attorneys during February."**

# Delegates Rest Up

**Left to Right: A. A. Kaplan, George Grandstrom, both St. Paul; Henry Morton, Winnipeg. Man in rear is unidentified.**

## Business in Mexico, Cuba Hailed as Good

No difficulty for U. S. distributors in Mexico in renewing union contracts when they expire in August is anticipated, Max Gomez, RKO manager for Mexico, declared yesterday. Construction of two new deluxe houses in Mexico City is proceeding and they may be open by the first of next year, he said, and there is some theatre construction outside of Mexico City.

Appeal of native-produced Spanish language films is declining as the novelty is wearing off, F. S. Gulberson, RKO manager in Panama and neighboring Central American countries, asserted. As a result, American films are gaining, although business is hampered by entertainment, sales and income taxes and the slackening of tourist trade in Panama, he added.

Cuban producers have released about 12 films since they started production about a year ago, but this has merely created new film audiences and has not affected attendance at American films, according to Pedro Saenz, Cuban manager. Several efforts to raise admission prices have been unsuccessful, he said.

Gomez, Gulberson and Saenz are here for the RKO convention.

## Broadway Hopes For Early Pickup

**Business along Broadway continued in the doldrums yesterday with most managers looking forward to an upturn in the next week or two when the World's Fair visitors may start their trek to New York.**

**"The Sun Never Sets" grossed an estimated $65,000 at the Music Hall. At the Capitol, "Six Thousand Enemies" was withdrawn after six days, with an estimated $11,000, and "Tarzan Finds A Son" opened a day early.**

**"Juarez" drew an estimated $35,000 at the Strand in its second week. "Young Mr. Lincoln" attracted an estimated $29,500 at the Roxy in its second week. Both are held over. "SOS Tidal Wave" will open at the Criterion next Wednesday.**

## Huston in Kipling Film

Hollywood, June 15.—Walter Huston was signed today by Paramount for Kipling's "The Light That Failed," replacing Thomas Mitchell, who is busy on another lot.

## Herbert Cohen Rites

Hollywood, June 15.—Funeral services will be held tomorrow for Herbert Cohen, 26, associate producer on RKO shorts, and son of Maury M. Cohen.

# UA Demands Facts, Labels U.S. Evasive

*(Continued from page 1)*

identical to those which Columbia Pictures Corp. will apply for to Judge Clancy at a hearing scheduled today.

Information concerning the date when United Artists allegedly entered the conspiracy, production of alleged contracts covering division of U. S. territory, a statement of specific unfair selling practices conducted by United Artists, with the names of exhibitors and theatres that overbuy is requested.

The application also attacks the constantly used phrase, "for many years last past" referring to the dates of various alleged monopolistic practices and asks for more specific dates.

The Government is attempting "through some fanciful theory" to force competition in the motion picture industry, Raftery stated, but has no evidence of any conspiracy practices by United Artists. Numerous examinations by United Artists witnesses conducted by the Government conclusively prove this lack of evidence, he continued, and further show that United Artists is "in no wise concerned in the controversy which the U. S. is having with some of the other defendants."

## Florida Town Sets Amusements Tax

Ft. Myers, Fla., June 15.—The city council has passed an amusement tax to obtain money for welfare purposes, adding five cents to all motion picture, boxing show and circus tickets selling for more than 15 cents and up to and including 50 cents, with a 10-cent tax on tickets selling for more than 50 cents.

All money collected from this tax will be earmarked for what Mayor Shapard and Chairman Dave Ireland of the Lee County Welfare Federation agreed was an "alarming increase in cost of taking care of the poor sick and unemployed."

## English Producer Groups in Merger

London, June 15.—Film Production Employers' Federation and the Film Producers' Association have completed a merger. The latter organization formerly was the Film Group of the Federation of British Industries.

Members of the council of the merged organization include: Capt. Richard Norton, former chairman of the Employers' Federation, chairman; Francis W. Baker, R. Baker, S. W. Smith, L. G. Hill, Paul Kimberley, Alexander Korda, E. Harry George.

## Decision Reserved In Plagiarism Suit

Decision was reserved yesterday by U. S. Circuit Court of Appeals on cross-appeals of M-G-M and Edward Sheldon and Margaret Ayer Barnes, authors, who were awarded $532,000 for alleged plagiarism of "Dishonored Lady" in the M-G-M film, "Letty Lynton."

# 'Dr. Kildare' Gets $32,500 To Lead Hub

BOSTON, June 15.—"Calling Dr. Kildare" dualling with "Bridal Suite," at Loew's Orpheum and State drew high money with a total of $32,500, $19,000 and $13,500 respectively for the two houses.

"Young Mr. Lincoln" and "Boy Friend" took a good $16,000 at the Metropolitan.

Estimated takings for the week ending June 14:

**"Mystery of Mr. Wong" (Mono.) (3 days with vaude.)**
**"Wolf Call" (Mono.) (3 days with vaude.)**
**"The Mysterious Miss X" (Rep.) (4 days)**
**"Woman Doctor" (Rep.) (2 days)**
**"Yes, My Darling Daughter" (W. B.) (2 days)**
**"Pardon Our Nerve" (20th-Fox) (2 days)**
RKO KEITH BOSTON—(3,200) (20c-30c-40c). Gross, $8,000. (Average, $8,000)

**"East Side of Heaven" (Univ.)**
**"The Family Next Door" (Univ.)**
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $12,500. (Average, $14,000)

**"Juarez" (W. B.)**
**"Sweepstakes Winner" (W. B.)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days, 2nd run. Gross: $10,000. (Average, $8,500)

**"Juarez" (W. B.)**
**"Sweepstakes Winner" (W. B.)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days, 2nd run. Gross: $7,500. (Average, $5,300)

**"Young Mr. Lincoln" (20th-Fox)**
**"Boy Friend" (20th-Fox)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $14,500)

**"Calling Dr. Kildare" (M-G-M)**
**"Bridal Suite" (M-G-M)**
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $14,000)

**"Calling Dr. Kildare" (M-G-M)**
**"Bridal Suite" (M-G-M)**
LOEW'S STATE—(3,600) (25c-35c-40c-55c) 7 days. Gross: $13,500. (Average, $10,500)

**"Confessions of a Nazi Spy" (W. B.)**
**"The Gorilla" (20th-Fox)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $4,500. (Average, $5,000)

# 'Angels' at $5,500 In Oklahoma City

OKLAHOMA CITY, June 15.—"Only Angels Have Wings" scored here, with $5,500 at the State, in a week of good grosses despite cool weather.

Estimated takings for the week ending June 8:

**"The Hardys Ride High" (M-G-M)**
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $6,100. (Average, $5,500)

**"The Eagle and the Hawk"**
**"The Code of the Streets" (Univ.)**
LIBERTY—(1,200) (20c-25c) 4 days. Gross: $2,800. (Average, $1,800)

**"For Love or Money" (Univ.)**
LIBERTY—(1,200) (20c-25c) 3 days. Gross: $700. (Average, $700)

**"East Side of Heaven" (Univ.)**
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $5,000. (Average, $4,200)

**"Broadway Serenade" (M-G-M)**
PLAZA—(750) (25c-35c-40c) 7 days. (Return). Gross: $1,100. (Average, $1,700)

**"Only Angels Have Wings" (Col.)**
STATE—(1,100) (20c-25c-40c) 7 days. Gross: $5,500. (Average, $3,000)

**"Wuthering Heights" (U. A.)**
TOWER—($1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $1,500. (Average, $2,500)

## *Increase License Fee*

MARSHFIELD, Wis., June 15.—The City Council has raised the annual theatre license fee from $10 to $50. Marshfield has three houses, the New Adler, Adler and Relda, all operated by J. P. Adler.

# *Theatre, Personnel Notes*

### Shift S. C. Managers

COLUMBIA, S. C., June 15.—Wallace Martin, now assistant manager of the Palmetto, has been appointed manager of the new Five Points, which will open July 1. Bradley Reese, assistant manager of the Ritz, goes to the Palmetto. John Fitzgerald, Jr., will become assistant manager of the Ritz.

### Dickinson Changes

KANSAS CITY, June 15.—L. A. Chatham has replaced Ted Siler as manager of the Booth and Mainstreet, Independence, Kan., for Griffith-Dickinson Theatres, Inc. Sam Carr is the new manager of the Dickinson at Osage City, Kan. He succeeds Ed Smith, resigned. Harold Sachse has gone to Slater, Mo., as manager of the Dickinson, succeeding Gordon Howard.

### Griffith Buys Two

KANSAS CITY, June 15. — Griffith Amusement Co. interests have purchased the Whiteway from A. W. Pugh, and the Klock from Glen E. Klock, both at Fredonia, Kan.

### Acquire Indiana House

WINSLOW, Ind., June 15.—McCord & Kemp, operators of the Star here several years, have sold the house to Mrs. Rose Eskind and her son, Irving Eskind.

### Sproule Retakes Theatre

KANSAS CITY, June 15.—Lee Sproule has taken back the Star, Clay Center, Kan., from Max Davisson.

### Remodel Arkansas Houses

HARDY, Ark., June 15.—The Biggers Building has been remodeled for the Hays Theatre here. The Ozark Amusement Co. has remodeled its theatre and installed new equipment.

### 7 Theatres Renew Altec

Westland Theatres, Inc., of Colorado Springs, Colo., has renewed sound service contracts with Altec for seven theatres and has added two more to Altec service. Victory Theatres of Denver have also renewed with Altec.

### Shift Sparks Managers

LAKELAND, Fla., June 15.—Resignation of Myron Booth as manager of the Lakeland theatres and the appointment of C. T. Chapin, manager of Sparks houses at Barstow, was disclosed by B. B. Garner, general manager of the Sparks circuit.

### To Reopen in Iowa

POMEROY, Ia., June 15.—George Storms of Des Moines has bought the Palm here and will reopen it soon. It has been closed for some time.

### Renovate Wisconsin House

WAUPACA, Wis., June 15.—Palace here is being thoroughly renovated including the addition of a new canopy, remodeled lobby, and new air conditioning system.

### Manager in Milwaukee

MILWAUKEE, June 15.—Stanley Segelbaum, former manager of Fox's Miller, has been named manager of the circuit's State here.

### Griffith Plans Theatre

OKLAHOMA CITY, June 15.—Griffith Amusement Co. is remodeling a building in Sapulpa, Okla., to be used for a theatre. James Zartaludes will be manager.

### Standard Theatres Shifts

OKLAHOMA CITY, June 15.—James Adams, manager of the Warner, operated by Standard Theatres Corp., has resigned and has been replaced by Julius Krisch, assistant booker for Standard. Paul Rice, chief usher at the Midwest, has been promoted to assistant manager under Spence Pierce, succeeding Owen B. Robert.

### Shift Cincinnati Prices

CINCINNATI, June 15.—RKO family, which recently advanced its scale from 10 and 20 cents to 20 and 30 cents, and went from three changes of single features to a twice-weekly change of duals, has reduced prices to 15 and 25 cents, and reinstated the single features policy, changing three times weekly.

### To Reopen in Connecticut

WALNUT BEACH, Conn., June 15.—Albert L. Smith will open the 350-seat Tower on July 1, after being closed for the winter. He also operates the Colonial.

### Mooney Adds Booker

CLEVELAND, June 15. — Milton A. Mooney, head of Cooperative Theatres of Ohio, has added James Mooney to his Cincinnati booking force, which now includes three bookers.

### Forms Partnership

MARSHALLTOWN, Ia., June 15.—E. W. Kerr of Council Bluffs, Ia., manager of a circuit in Missouri, Nebraska and Iowa, has bought a partnership with M. C. Rosckopf and Sam Horwitz, owners of the Casino here. The partnership was formed for the purpose of remodeling and reopening the Odeon here, closed for several years.

### Conn. Airdrome Ready

MIDDLETOWN, CONN., June 14.—Salvatore Adorno, former operator of three Middletown houses, will open his 750-seat Airdrome on June 24.

# Providence Gives $7,000 to 'Juarez'

PROVIDENCE, June 15.—With five instead of the usual six downtown houses operating, best business was garnered by the Majestic, $7,000 with "Juarez."

Estimated takings for the week ending June 7-8:

**"Juarez" (W. B.)**
**"North Sea" (Lenauer)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,000. (Average, $7,000)

**"Captain Fury" (U.A.)**
**"The Lady and the Mob" (Col.)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)

**"Hotel Imperial" (Para.)**
**"Blind Alley" (Col.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $5,800. (Average, $6,000)

**"The Gorilla" (20th-Fox)**
FAY'S—(1,800) (25c-35c-40c) Vaudeville. 7 days. Gross: $4,500. (Average, $6,500)

**"Only Angels Have Wings" (Col.)**
**"Boy Slaves" (RKO)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $3,500)

# Denver Gives 'Only Angels Good $10,00

DENVER, June 15.—With half first runs above average and the r below, "Only Angels Have Win took the lead with $10,000 at Denver.

Estimated takings for the week e ing June 14:

**"Rose of Washington Square" (20th-F**
ALADDIN—(1,400) (25c-40c) 7 days, week. Gross: $4,000. (Average, $3,500

**"Some Like It Hot" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 d Gross: $5,500. (Average, $6,500)

**"Only Angels Have Wings" (Col.)**
DENVER—(2,525) (25c-35c-40c) 7 d Gross: $10,000. (Average, $9,000)

**"Sorority House" (RKO)**
**"6,000 Enemies" (M-G-M)**
ORPHEUM—(2,600) (25c-35c-40c) 7 d Gross: $6,500. (Average, $8,500)

**"Confessions of a Nazi Spy" (F. N.)**
**"Torchy Runs for Mayor" (W. B.)**
PARAMOUNT—(2,200) (25c-40c) 7 d 2nd week. Gross: $3,000. (Average, $3,

**"Missing Daughters" (Col.)**
**"Code of the Streets" (Univ.)**
RIALTO—(878) (25c-40c) 7 days. Gr $2,000. (Average, $1,750)

# 'Juarez' Gets Big $13,000 in Detr

DETROIT, June 15. — "Juarez" "Jane Arden" gave the Michigan lead with $13,000. First week double features at Fox did $12 with "Young Mr. Lincoln" and Could Happen to You."

Estimated takings for the week ing June 8:

**"Only Angels Have Wings" (Col.)**
**"Girl from Mexico" (RKO)**
ADAMS—(1,700) (15c-40c) 7 days. G $5,500. (Average, $5,000)

**"Young Mr. Lincoln" (20th-Fox)**
**"It Could Happen to You" (20th-Fox)**
FOX—(5,000) (20c-55c) 7 days. G $12,000.

**"Juarez" (W. B.)**
**"Jane Arden" (W. B.)**
MICHIGAN—(4,000) (20c-65c) 7 Gross: $13,000. (Average, $10,000)

**"Can't Get Away with Murder" (W. B.**
**"Lone Wolf Call" (Mono.)**
PALMS-STATE—(3,000) (15c-50c) 7 Gross: $6,500. (Average, $5,000)

# *'Nazi Spy' Garners $11,000, Clevela*

CLEVELAND, June 15.—"Confess of a Nazi Spy" took the lead $11,000 at the RKO Palace. "It' Wonderful World" did $8,000 Loew's State.

Estimated takings for the w ending June 9:

**"Ex Champ" (Univ.)**
ALLEN—(3,000) (30c-35c-42c) 7 d Gross: $3,000. (Average, $4,000)

**"Juarez" (W. B.)**
WARNERS' HIPPODROME — (3 (30c-35c-42c) 7 days, 2nd week. G $8,500. (Average, $11,000)

**"Confessions of a Nazi Spy" (W. B.)**
RKO PALACE—(3,100) (30c-35c-42c days. Gross: $11,000. (Average, $8,0

**"It's a Wonderful World" (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42 days. Gross: $8,000. (Average, $11,0

**"Some Like It Hot" (Para.)**
LOEW'S STILLMAN—(1,900) (30c 42c) 7 days. Gross: $2,000. (Aver $4,000)

## *Metro Films for Roya*

Film entertainment for King Geo and Queen Elizabeth aboard the *press of Britain* enroute to Engl will include three Metro-Goldw Mayer pictures, "The Hardys High," "Huckleberry Finn" "Maisie."

# HOW THEY SOLD TICKETS

n Harrisburg
nd Providence!

omote! Exploit! It's a daisy!
erybody's crazy about M-G-M's

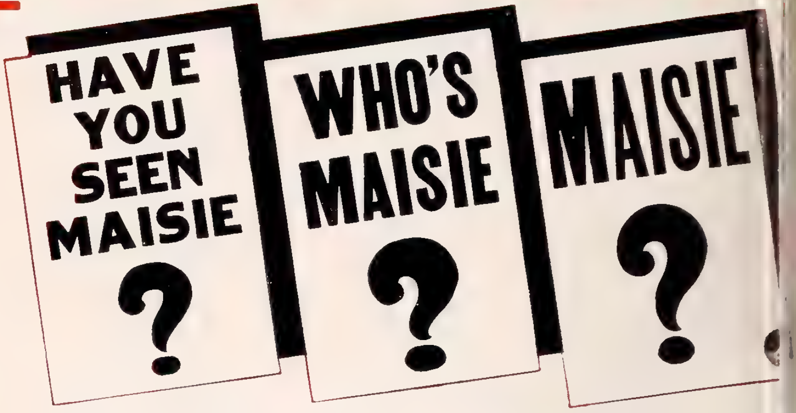
# Maisie

## HE EXPLOSIVE BLONDE

see
the
next
page

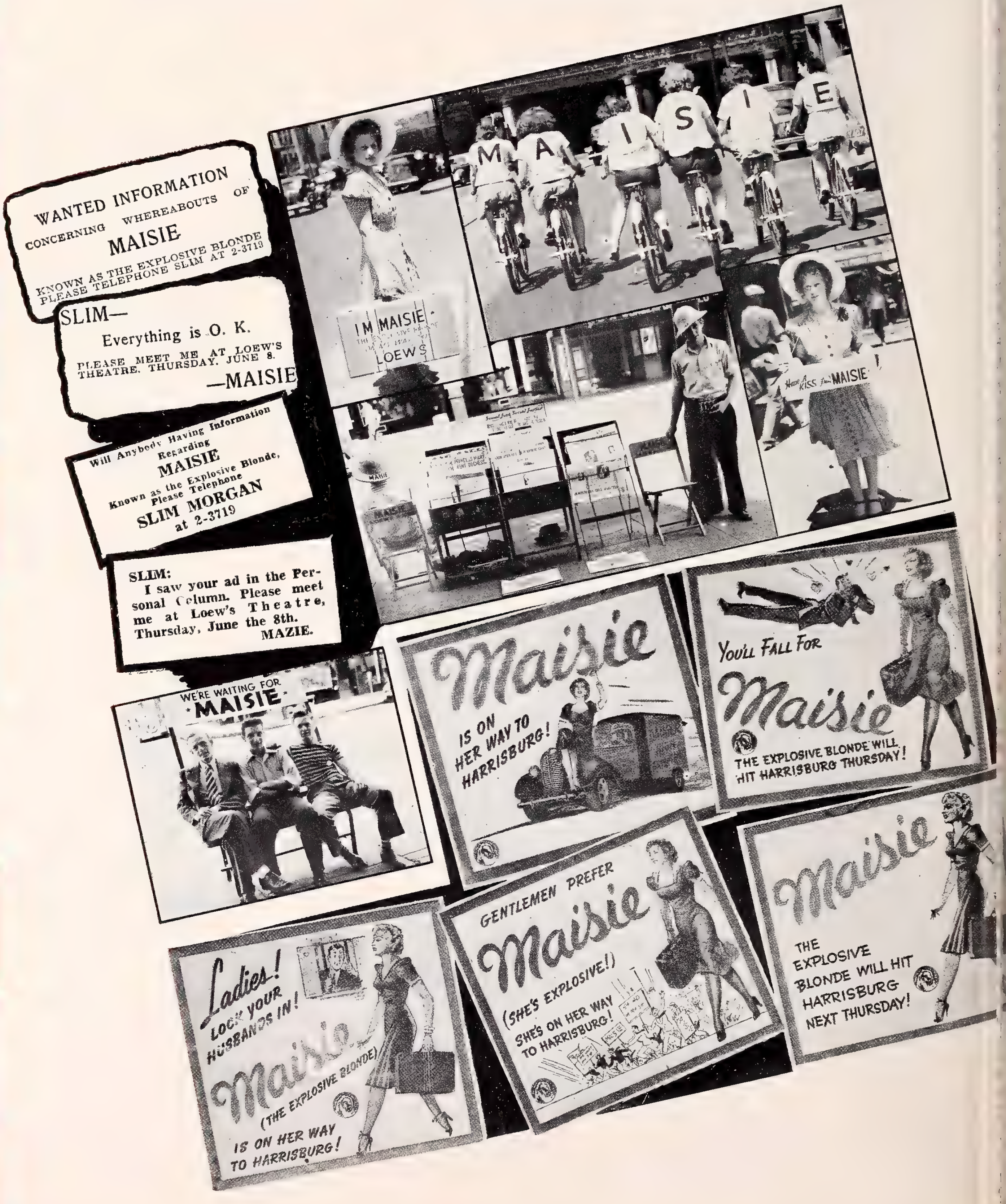
# HERE'S YOUR CAMPAIGN!

It's a pleasure to promote! And the picture will back up all your promises!


HAVE YOU SEEN MAISIE ?
WHO'S MAISIE ?
MAISIE ?

ABOVE: Teaser tack cards all over town!

BELOW: Personal columns, street stunts, teaser ads. Every idea is one you can easily duplicate!


M A I S I E
I'M MAISIE
LOEWS
Have A KISS from MAISIE
WE'RE WAITING FOR MAISIE
Maisie IS ON HER WAY TO HARRISBURG!
YOU'LL FALL FOR Maisie
THE EXPLOSIVE BLONDE WILL HIT HARRISBURG THURSDAY!
Ladies! LOCK YOUR HUSBANDS IN! Maisie (THE EXPLOSIVE BLONDE) IS ON HER WAY TO HARRISBURG!
GENTLEMEN PREFER Maisie (SHE'S EXPLOSIVE!) SHE'S ON HER WAY TO HARRISBURG!
Maisie THE EXPLOSIVE BLONDE WILL HIT HARRISBURG NEXT THURSDAY!

WANTED INFORMATION CONCERNING WHEREABOUTS OF MAISIE KNOWN AS THE EXPLOSIVE BLONDE PLEASE TELEPHONE SLIM AT 2-3719

SLIM—
Everything is O. K.
PLEASE MEET ME AT LOEW'S THEATRE, THURSDAY, JUNE 8.
—MAISIE

Will Anybody Having Information Regarding MAISIE Known as the Explosive Blonde, Please Telephone SLIM MORGAN at 2-3719

SLIM:
I saw your ad in the Personal Column. Please meet me at Loew's Theatre, Thursday, June the 8th.
MAZIE.

*Put them all together they spell*

# THERE'S MONEY IN "MAISIE"!

## Gay crowds became pay crowds in big Harrisburg and Providence hit engagements!

# IN HARRISBURG AND PROVIDENCE—

## *Everybody Wanted to Know—WHO IS MAISIE?*

Both M-G-M test campaigns created a lot of talk and good-natured kidding—but the public knew "Maisie" was on the way! It played Loew's Theatre, Harrisburg, Pa. and Loew's State, Providence, R. I., where even the people in the stores were asking "Who the H . . . is Maisie?" Exploit "Maisie" on a note of hilarity! Don't overlook a bet!

**NEWSPAPER PUBLICITY AND ADVERTISING:** Commencing two weeks in advance, when the picture was booked, the columnists of the three daily newspapers, the Patriot, Evening News, and Telegraph, started kidding "Maisie" in their columns, and have not missed a single day until the regular advance stories commenced. "Maisie" sent the columnists flowers, candy, arm-bands, and other gay presents, all of which were acknowledged in the columns in a good-natured joshing fashion.

On Thursday, Friday, Saturday, before opening, personals were used in the papers, seeking information as to the whereabouts of a girl named Maisie, known as an explosive blonde, and asking that readers telephone Slim, at the theatre number. The theatre cashiers report that they actually received up until Saturday night 76 telephone calls offering to help in response to these ads. Commencing Monday before opening Maisie replied in these personal columns that she had seen Slim's ad and would meet him at Loew's Theatre on Thursday (the opening day of engagement).

Commencing with the first ad, on Saturday before opening, the Harrisburg Telegraph started a contest asking readers to read the ads in the series and write their opinions of them for cash awards, stating that it is a brand new picture and that the picture company is anxious to know if they are the kind that will make people want to see the picture. This contest runs until after the opening day.

The advertising campaign commenced on Saturday before opening, with a 2 column by 4 inch teaser ad, and builds up to the opening.

The newspapers are giving ample space, stories and art in their regular picture columns.

**KIDDING THE TITLE:** A campaign was started by the employees of the theatre, school children, etc., in fact everybody with whom we could get into contact, by telephone or otherwise, to make a nickname of "Maisie."

**STICKERS:** 10,000 stickers, bearing the legend "Who Is Maisie?" were used on lamp-posts, buildings, fences, telegraph poles, etc.

**BUMPER STRIPS ON AUTOMOBILES:** 50 of these were used on the Harrisburg taxicabs. First time used in over a year.

**"MAISIE" BADGES:** Ribbon-badges were worn by the cashiers and ushers of the theatre and the clerks of Murphy's Dime Store, commencing a week in advance.

**NEWS-STAND DISPLAYS:** For fifty news-stands in Harrisburgh the attendants were furnished with sun helmets, also paper-weights the size of bricks, and red wooden chairs—all with "Maisie" ad. News-stands are on street corners, and the chairs are placed so that legend on back can be read by pedestrians crossing the street and by automobilists in passing; also the fronts of the backs are lettered, so that if attendant is standing legend can be read there also. It is submitted that this is a humane stunt in this weather, and that the news-stand-attendants have taken hold of it with eagerness and appreciation.

**TIME-HONORED SUNDAE:** No campaign is complete without a sundae named for the picture, but look at the coverage they get. In Rolle's Restaurant, on Market Street (main shopping street), which is having a "Maisie" sundae, streamers announcing it are placed at the soda counter, and also in every booth on mirrors (the tables are in booths), on the walls of the restaurant, and on the menus. Murphy's Dime Store also has a "Maisie" sundae.

**LETTERED NAPKINS:** Rolle's Restaurant is distributing 10,000 napkins with legend.

**COOL WINDOW CARDS:** 100 cards, 14x17, placed in windows, bearing the legend, "It's comfortably cool at Loew's. I'll see you Thursday, 'Maisie'."

**WESTERN UNION BOYS DELIVERING POSTER:** Five Western Union messenger boys, carrying hand-lettered posters, 30x40, with strip across top reading "Deliver to Loew's Theatre", are riding on busses, street cars, and walking on main streets, for four hours a day, commencing Monday before opening.

**GIRLS ON BICYCLES:** Six girls on bicycles, each with a letter of the title on her back, rode up and down main streets of town day before and opening day.

**GIRLS WITH CUT-OUT LETTERS SIX FEET HIGH:** Six girls, dressed in shorts, each carrying a cut-out letter six feet high, in single file, patrolled main streets of town, day before and opening day.

**GIRL IN FORD STATION WAGON:** Girl, dressed in cowgirl costume, with shorts, and sombrero, and with wagon bannered, drove about main streets, day before and opening day. Wagon is being supplied by Ford dealer.

**"MAISIE" CANDY KISSES:** 10,000 candy kisses, in cellophane bag, bearing legend, "A Kiss from Maisie", are being distributed by girls, at street corners, from attractive wicker baskets.

**GOOD OLD BLOTTERS:** 10,000 blotters, bearing the legend "This will blot your letters. 'MAISIE' will blot your cares away," etc., are being distributed in office buildings, stores, and in the buildings on "Capitol Hill" (State employes).

**TRICK FOLDERS:** 10,000 small oblong folders, with front bearing legend "What I know About Men, by MAISIE", two center pages blank, and playdate on back, are being distributed, and enclosed in packages by one of the stores.

**GROCERY BAGS:** 10,000 of these bags, imprinted, are being used by the Isaacman Brothers Grocery Stores. These stores have a tremendous circulation.

**THE OLD RED SPOT CARD:** Cards bearing the legend (containing red spot in center) with word "CONFIDENTIAL" at top and rest of lettering small—"If this spot turns black, see your doctor at once. If it does not, see 'MAISIE'," etc. 10,000 of these are being distributed in every conceivable place.

**BENCH IN FRONT OF THEATRE:** A bench is being placed in front of theatre, two days before opening, with boys sitting on it and large sign on the back, bearing the legend "We Are Waiting to See 'Maisie'," etc. The bench was borrowed from the Park Commission. The boys will be extra ushers.

**GIRL WITH SUITCASE:** Blonde girl, in shorts, carrying suitcase, with the legend, "I'm 'MAISIE', the explosive blonde, on my way to Loew's Theatre", will patrol the downtown streets for several hours day before opening.

**GIRL IN BED STUNT:** This is the honey of them all. Arrangements have been made with Kade's Furniture Store to have a window furnished as bedroom. In the bed will be a blonde girl, apparently asleep; on table beside her will be a clock, with placard bearing the legend: "This is 'MAISIE'. When will she awaken? Step inside and make your guesses. Fifty coming nearest will receive passes to see 'MAISIE'," etc. The police will let this stunt ride until it blocks traffic too much. It will be done the afternoon before the opening of the picture.

**RADIO BROADCASTS:** Loew's Theatre conducts a daily broadcast in the morning, at nine-thirty o'clock, over Station WHP. "MAISIE" has been "plugged" on this, commencing over a week in advance.

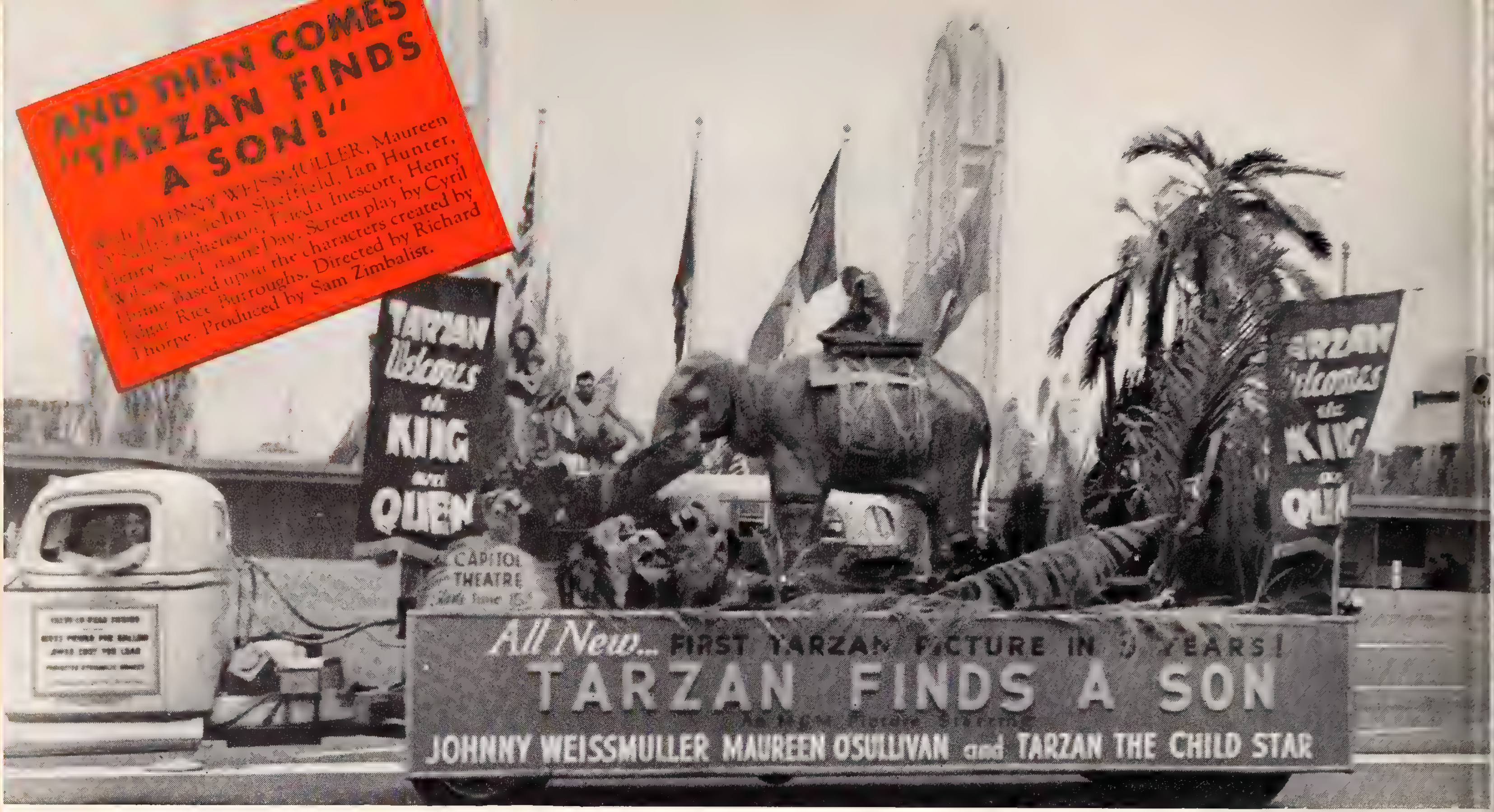
Station WKBO conducts a "man on the street" broadcast, Monday, Wednesday, Friday. "MAISIE" was used on this broadcast on all three days last week, and will be used again the three days of this week.

Paul Walker, columnist of the Harrisburg Telegraph, conducts a daily newsbroadcast, on Station WKBO. He has been kidding about "MAISIE" on his broadcast for over a week.

**MAISIE**

with Robert Young, Ann Sothern, Ruth Hussey, Ian Hunter and Cliff Edwards. Screen play by Mary C. McCall, Jr. A Metro-Goldwyn-Mayer Picture. Directed by Edwin L. Marin. Produced by J. Walter Ruben.

(over)


TARZAN Welcomes the KING and QUEEN
CAPITOL THEATRE
All New... FIRST TARZAN PICTURE IN 3 YEARS!
TARZAN FINDS A SON
JOHNNY WEISSMULLER MAUREEN O'SULLIVAN and TARZAN THE CHILD STAR

**AND THEN COMES "TARZAN FINDS A SON!"**

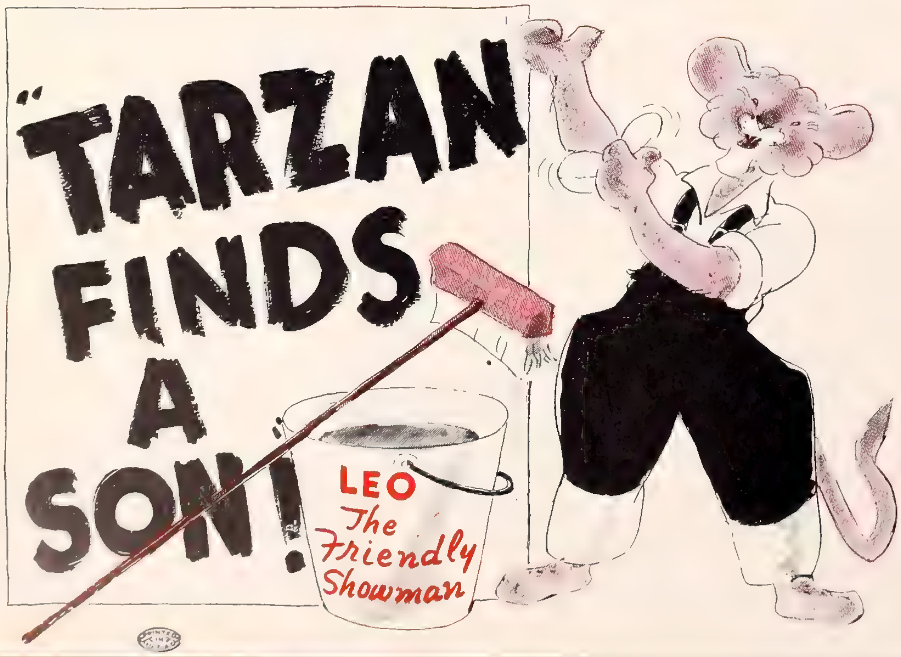
with JOHNNY WEISSMULLER, Maureen O'Sullivan, John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day. Screen play by Cyril Hume. Based upon the characters created by Edgar Rice Burroughs. Directed by Richard Thorpe. Produced by Sam Zimbalist.

*Jungle float, with live chimpanzee atop elephant is part of the big showmanship splurge in New York. Extra ad space, flash theatre front; and big, live-wire campaign launched a hit show in gala style!*

# CROWDS HAIL THE NEXT BIG M-G-M SHOW!

JOHNNY WEISSMULLER
MAUREEN O'SULLIVAN
"TARZAN FINDS A SON"
NEWEST! BEST! THRILL-EPIC!

**A HIT!** Business at the Capitol, N. Y. and in Wilmington and Toledo forecasts a sure-fire nation-wide success!


"TARZAN FINDS A SON!"
LEO The Friendly Showman

## "when you roll up the sleeves you roll up the grosses!"

Boys, there's profit in promotion! And I'v got the shows for you! After "MAISIE there's "TARZAN FINDS A SON", th greatest Tarzan show ever made. And wa till you see "ON BORROWED TIME, and "ANDY HARDY GETS SPRIN FEVER" (just previewed! A honey! Remember this: when your box-office need a friend depend on The Friendly Company

# Accept Fox Compromise, Court Urges

Atlantic City, June 15.—Accept- nce of a settlement offer in the suit rought by Hiram W. Steelman, trus- of the bankrupt estate of William x, to recover alleged Fox assets rom the All-Continent Corp., was ecommended today by Bankruptcy eferee Allen B. Endicott, Jr.

Compromise, which was offered by Irs. Fox and her two daughters, wners of All-Continent, involved the ayment of $600,000 cash and can- ellation of $41,000,000 in claims gainst the estate.

### Dropping of All Claims

Included in the settlement was the ropping of all claims against All- ontinent and Fox Film Corp. Fox ilm abandoned $10,000,000 in claims gainst the estate, which is included n the $41,000,000 figure, and received n return release from $2,000,000 in laims against it.

The Referee's recommendation is ubject to the approval of Federal udge John Boyd Avis. Creditors may oppose the settlement. Total of 13,000,000 in claims would still be utstanding if the settlement is finally pproved. These claims have not yet een adjudicated and may be reduced r disallowed entirely.

Question of discharge in bankruptcy or Fox was not involved in the settle- nent and the motion for discharge is ot expected to be heard for several nonths.

### Reasons for Recommendation

In a 20-page opinion, the Referee ited his reasons for recommending the ettlement. He pointed out that the rust fund, set up in 1931, had shrunk rom its original value of $6,900,000 o $1,500,000, as revealed by a recent udit. Also stressed was the fact that he litigation against All-Continent night not be successful and that in uch case the creditors would get othing.

The $600,000 is to be paid in three arts—$350,000 in cash upon approval f the settlement, $150,000 is contin- gent upon the outcome of claims by he trustee against the Capital Co., nd the balance of $100,000 will be aid over a three-year period.

## Skouras Nine Rises In Baseball League

The Skouras baseball team jumped rom fourth to third place in the past veek in the Motion Picture League. Today Loew's opposes Consolidated. Paramount and Columbia play tomor- ow. Team standings follow:

| | Won | Lost | Percentage |
|---|---|---|---|
| olumbia | 4 | 0 | 1000 |
| ons. F. Ind. | 4 | 2 | .666 |
| kouras | 3 | 2 | .600 |
| LC | 3 | 3 | .500 |
| KO | 2 | 2 | .500 |
| aramount | 2 | 4 | .333 |
| ock. Center | 2 | 4 | .333 |
| oew's | 2 | 5 | .285 |

## Pathe Film Dividend

Directors of Pathe Film Corpora- ion yesterday declared the regular uarterly dividend of $1.75 per share n the $7 convertible preferred stock, ayable July 1 to stock holders of ecord June 23.

# SHORT SUBJECT REVIEWS

## "Prophet Without Honor"

*(M-G-M)*

Matthew Fontaine Maury, founder of the U. S. Weather Bureau, is honored in this subject. Maury starts as a young officer on the sailing ships but a crippling accident confines him to shore duties. By painstaking research, he discovers a method of charting currents and winds. During the Civil War, he sides with his native South and acts as a foreign envoy. Maury, not included in the general amnesty, cannot return to the United States until he is pardoned many years later. A moving and well directed short that should be enjoyed by all. Running time, 11 mins. "G."*

## "Jockeys Up"

*(Columbia)*

Excellent and entertaining, "Jockeys Up" reveals behind-the-scenes aspects of a jockey's life. Highlight scenes are those showing how jockeys condition themselves down to weight, early morning clockers timing the horses in their workouts, the social and home life of the riders. The actors are famous jockeys. Running time, 10 mins. "G."*

## "Community Sing, No. 10"

*(Columbia)*

With Danny Webb as M.C., who prods the audience to sing, and the King Sisters doing the vocals, this community sing registers favorably. The King Sisters harmonize well, and photograph very attractively. Tunes offered are "All I Do Is Dream of You," "Among My Souvenirs," "I'll See You in My Dreams," "Thanks for the Memory" and "Rainbow Round My Shoulder." Running time, 10 mins. "G."*

## "Sand Hogs"

*(20th Century-Fox)*

The difficult and thrilling job of the man who go below rivers to bore the modern tunnel is portrayed here. Two projects, the Lincoln tunnel and the San Jacinto Mountain aqueduct, provide the background. Lew Lehr is the commentator but he has dropped the comedy style for this reel. Running time, 10 mins. "G."*

## "Cousin Wilbur"

*(M-G-M)*

"Our Gang" enters the field of high finance with the organization of an insurance company. Cousin Wilbur, dignified and neat, tells the gang to issue policies against black eyes, spankings, etc. They do a land office business until Butch decides to wreck the enterprise by fighting with all the policyholders. A good comedy. Running time, 10 mins. "G."*

## "Nick's Coffee Pot"

*(Terry-20th Century-Fox)*

A new restaurant opens in Bugville and there are attendant celebrations. A waitress and kitchen boy fall in love but the entire community is thrown into panic when a spider discovers the place. An amusing chase develops with the bugs coming up victorious. In black and white. Running time, 7 mins. "G."*

## "A Bully Romance"

*(Terry-20th Century-Fox)*

This black and white Terrytoon finds Gandy Goose in old Mexico. He discovers romance when a fair senorita encourages his attentions. An irate father, however, insists that Gandy prove his bravery by engaging in a bull fight. He does, with hilarious effects. Running time, 7 mins. "G."*

## 'Angels' at $6,300 As Buffalo Slumps

Buffalo, June 15.—"Only Angels Have Wings" held its place for the second week, with $6,300 at the Lafayette. All others were below average in the early June heat.

Estimated takings for the week ending June 10:

**"It's a Wonderful World" (M-G-M)**
BUFFALO — (3,000) (30c-55c) 7 days. Gross: $8,900. (Average, $12,000)

**"Captain Fury" (U. A.)**
**"The Girl from Mexico" (RKO)**
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $6,000. (Average, $7,500)

**"Bridal Suite" (M-G-M)**
**"Torchy Runs for Mayor" (W. B.)**
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $4,200. (Average, $6,800)

**"The Eagle and the Hawk" (Para.)**
**"Nancy Drew, Reporter" (W. B.)**
CENTURY—(3,000) (25c) 7 days. Gross: $5,200. (Average, $6,000)

**"Only Angels Have Wings" (Col.)**
LAFAYETTE—(3,300) (25c) 7 days, 2nd week. Gross: $6,300. (Average, $6,300)

## Warners Name Summers

James D. Summers, supervisor of checkers for Warners at the New York exchange, has been named personnel manager of the company's theatre zone in Chicago and Milwaukee, by Ralph W. Budd, personnel director. Summers will maintain headquarters in Chicago.

## 'East Side' Draws $9,100, Omaha Lead

Omaha, June 15.—"East Side of Heaven," dualed with "Spirit of Culver," was good for $9,100 at the Orpheum. "It's a Wonderful World" and "Society Lawyer" pulled $7,600 at the Omaha.

Estimated takings for the week ending June 8-9:

**"Only Angels Have Wings" (Col.)**
**"Rookie Cop" (RKO)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $4,100. (Average, $4,000)

**"It's a Wonderful World" (M-G-M)**
**"Society Lawyer" (M-G-M)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,600. (Average, $6,000)

**"East Side of Heaven" (Univ.)**
**"Spirit of Culver" (Univ.)**
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $9,100. (Average, $7,600)

## Florida Rejects Films

Tallahassee, Fla., June 15.—Purchase of an all-Florida motion picture by the state road department for $17,798.25 has been disapproved by Governor Cone. He vetoed a bill authorizing the road department to pay Dave Newell, writer and explorer, for a picture already made for showing in Florida's exhibit at the New York World's Fair.

# Theatres Ask Canada Talks On Protection

Toronto, June 15.—Overtures have been made by the conciliation committee of the Board of Trade here to the Anti-Protection League, headed by J. O. Scott of the Weston Theatre, for the calling of a conference to consider the subject of protection with a view to the revision of clearance schedules now in force in Canada under the standard rental license agreement.

A message has been conveyed to the league that the committee will hold a meeting soon at which concrete proposals of a deputation representing independent exhibitors will be received, providing the league wil submit a definition of the word "protection" which would form the basis for a broad principle under which the discussion could proceed.

### Call Protection Necessary

The suggestion has been made in behalf of the committee that the proposal of the A.P.L. should contain an official recognition that a form of protection is necessary in the ordinary routine of the film business in the same manner as prior rights are effected in other lines of trade.

This is taken to mean that the conciliation committee will not accept any recommendation which does not include the acceptance of the principle that protection in some form is essential. The total elimination of priority, as implied in the title of "Anti-Protection League," cannot be considered, it is understood.

### Seek to Modify Clearance

The hint has been made that the primary intention of the conciliation committee will be to consider the modification of protection in relation to third and subsequent runs. Generally speaking, the clearance between first and second runs will remain practically unchanged because of the heavy investment involved in large downtown theatres of the larger cities.

The conciliation committee is made up of representatives of exchanges, circuits and organized independents.

## Continue With RKO Arguments Today

Argument of appeals in the RKO reorganization started yesterday in the U. S. Circuit Court of Appeals and will be continued today. Nathan Rosenberg, attorney for H. Cassel & Co., debenture holders, opposed the plan of reorganization on the grounds that the proposed exchange of debentures for preferred stock deprived debenture holders of their security. The Court refused to permit the Independent Stockholders' Committee to file a brief in support of the plan on the ground that briefs with a total of more than 300 pages already have been filed.

## Film on Father Duffy

Darryl F. Zanuck yesterday announced that 20th Century-Fox will soon put into production a picture entitled, "Father Duffy of the Fighting Sixty-Ninth," based on the life of Rev. Francis P. Duffy, Chaplain of the 165th Regiment, (the Old 69th) during the World War.

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

**[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]**

| | COLUMBIA | M-G-M | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS | MONOGRAM |
|---|---|---|---|---|---|---|---|---|---|---|
| **May 12** | **Blind Alley (G) (D)**<br>*Chester Morris*<br>*Bellamy*<br>*Dvorak* | **Tell No Tales**<br>*Melvin Douglas*<br>*Louise Platt* | **Hotel Imperial**<br>*Isa Miranda*<br>*Ray Milland*<br>**(G) (D)** | **Man of Conquest (G) (D)**<br>*Richard Dix*<br>**Three Texas Steers (O)** | **Panama Lady (G) (D)**<br>*Lucille Ball*<br>*Allan Lane* | **Rose of Washington Square**<br>*Power*<br>*Fay*<br>*Jolson* | | | **Torchy Runs For Mayor (G) (D)**<br>*Glenda Farrell*<br>*Barton MacLane* | **Wolf Call**<br>*Movita*<br>**Down the Wyoming Trail**<br>*Tex Ritter*<br>**(May 19)** |
| **May 19** | | **It's a Wonderful World (G) (C)**<br>*Colbert*<br>*Stewart* | **Some Like It Hot (G) (C)**<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | **Southward Ho**<br>*Roy Rogers* | | **Boy Friend**<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | **Ex Champ**<br>*McLaglen*<br>*Tom Brown*<br>**(G) (D)** | **Sweepstakes Winner**<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* | **Across the Plains**<br>*Jack Randall*<br>**(June 2)** |
| **May 26** | **Missing Daughters**<br>**Only Angels Have Wings** | **Bridal Suite**<br>*Robert Young*<br>*Annabella*<br>*W. Connolly*<br>**(G) (C)** | **Unmarried**<br>*Buck Jones*<br>*Donald O'Connor*<br>**Stolen Life**<br>*Bergner* | **The Zero Hour**<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | **Racketeers of the Range (O)**<br>*O'Brien* | **The Gorilla**<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | **Captain Fury**<br>*Aherne*<br>*McLaglen* | **They Asked For It**<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | **Code of the Secret Service**<br>*Reagan*<br>*Towne* | **Should a Girl Marry?**<br>*Anne Nagel*<br>*Warren Hull*<br>**(June 9)** |
| **June 2** | **Lost Horizon (reissue)**<br>**Trapped in the Sky** | | **Gracie Allen Murder Case**<br>*Allen*<br>*Warren William* | **S.O.S. Tidal Wave**<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | **The Girl From Mexico**<br>*Lupe Velez*<br>*Donald Woods*<br>**(G) (C)** | **The Jones Family in Hollywood** | | **Inside Information**<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | **The Man Who Dared**<br>*Grapewin*<br>*Jane Bryan* | **Stunt Pilot**<br>*John Trent*<br>**Roll, Wagon, Roll (O)**<br>**(June 30)** |
| **June 9** | | **6000 Enemies**<br>*Walter Pidgeon*<br>*Rita Johnson* | **Undercover Doctor**<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | **Mountain Rhythm (O)**<br>*Gene Autry* | **Saint in London**<br>*George Sanders*<br>*Sally Gray* | **Young Mr. Lincoln**<br>*Fonda*<br>*Alice Brady*<br>**(G) (D)** | | **The Sun Never Sets**<br>*Rathbone*<br>*Fairbanks, Jr.*<br>**(G) (D)** | **Juarez**<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>**(G) (D)** | |
| **June 16** | **Awful Truth (reissue)**<br>**Western Caravans (O)** | **Tarzan Finds a Son**<br>*Weissmuller*<br>*O'Sullivan* | **Invitation to Happiness**<br>*Dunne*<br>*MacMurray*<br>**(G) (D)** | | **The Girl and the Gambler**<br>*Steffi Duna*<br>*Carrillo* | **Charlie Chan in Reno**<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | **Man in the Iron Mask**<br>*Hayward*<br>*Joan Bennett* | | **Nancy Drew Trouble Shooter**<br>*Bonita Granville*<br>*Frank Thomas, Jr.*<br>**(G) (D)** | **G. N.**<br>**Six-Gun Rhythm (O)**<br>*Tex Fletcher*<br>**(May 12)** |
| **June 23** | **Clouds Over Europe**<br>*Olivier*<br>*Valerie Hobson* | **Maisie**<br>*Ann Sothern*<br>*Robert Young* | **Grand Jury Secrets**<br>**Heritage of the Desert (O)** | **In Old Caliente**<br>*Roy Rogers*<br>*Mary Hart* | **Five Came Back**<br>*Chester Morris*<br>*Lucille Ball*<br>**(G) (D)** | **Susannah of the Mounties**<br>*Shirley Temple*<br>*Scott* | | | **The Kid from Kokomo**<br>*O'Brien*<br>*Wayne Morris*<br>**(G) (C)** | **Panama Patrol**<br>*Leon Ames*<br>*Ch. Wynters*<br>**(May 19)** |
| **June 30** | **Parents on Trial**<br>**Good Girls Go to Paris** | **Stronger than Desire**<br>*Virginia Bruce*<br>*Walter Pidgeon* | **Bulldog Drummond's Bride**<br>*John Howard*<br>*Heather Angel* | **Wyoming Outlaw (O)**<br>*John Wayne* | **Timber Stampede**<br>*Geo. O'Brien* | **It Could Happen to You**<br>*Gloria Stuart*<br>*Stuart Erwin* | | **House of Fear**<br>*Wm. Gargan*<br>*Irene Hervey* | | **Exile Express**<br>*Anna Sten*<br>*Alan Marshal*<br>**(May 26)** |
| **July 7** | | **On Borrowed Time**<br>*Lionel Barrymore*<br>*Hardwicke* | **Man About Town**<br>*Jack Benny*<br>*Dorothy Lamour* | **Mickey, the Kid**<br>*Bruce Cabot* | **Career**<br>*Anne Shirley*<br>*Edward Ellis* | **Mr. Moto Takes a Vacation**<br>*Peter Lorre*<br>*Schildkraut* | | **Sandy Takes a Bow**<br>*Baby Sandy*<br>*Mischa Auer* | **Naughty But Nice**<br>*Dick Powell* | **Singing Cowgirl (O)**<br>*Dorothy Page*<br>**(June 2)** |
| **July 14** | **A Woman Is the Judge**<br>*Rochelle*<br>*Hudson* | **They All Come Out**<br>*Rita Johnson* | **Million Dollar Legs**<br>*Betty Grable*<br>*Jackie Coogan* | **She Married a Cop**<br>*Phil Regan*<br>*Jean Parker* | | **Second Fiddle**<br>*Henie*<br>*Power*<br>*Vallee* | | **I Stole a Million**<br>*George Raft*<br>*Claire Trevor* | **Waterfront**<br>*Gloria Dickson*<br>**Hell's Kitchen** | |

# Profits Share Set for Union, Hoyts Merger

Sharing of profits in the Hoyts-reater Union combine in Australia ill be about 75 per cent for Hoyts s. 25 per cent for Greater Union, it understood.

Understanding reached by principals ere to merge the two dominant Ausalian circuits is subject to ratificaion by the respective boards. The conolidation will include all theatre inerests of the two, Hoyts accounting or about 120 theatres and Greater nion about 60, including affiliates.

The consolidation will solve the roblem of product-sharing between he two circuits, which is believed to ave been a factor in the film legislaion passed in New South Wales.

### Harmony In Australia

The move is expected to bring about eace and harmony in the Australian ndustry and obviate the necessity for overnment intervention because of the hortage of product in some exhibition uarters.

Norman Bede Rydge, Australian nance expert and managing director f Greater Union, leaves tonight for os Angeles from where he will sail Wednesday on the *Mariposa* for Sydney. He has been here about two months.

Charles E. Munro, Hoyts managing irector and the other principal in the eal, remains here another few weeks.

### General Theatres Corp. Title

The combine will be formed as Genral Theatres Corp. This company was n active operating unit during the Hoyts-Greater Union pool. When the pool was dissolved at the end of 1937, General Theatres Corp. was continued s a corporation, with Rydge and Munro as joint managing directors, but has been almost completely inactive as n operating company.

The revived General Theatres will e a management and buying organization. The merger will run for 20 theatres. It will combine approximately 0 per cent of the wired houses in Australia.

Product from all companies will be vailable to the combine. Hoyts heretofore has had most of the major companies' pictures under franchise. Greater Union has had Universal, Republic, Monogram and some M-G-M and Paramount films.

## *Farewell Tonight For Leo Abrams*

Leo Abrams, recently appointed Universal short subjects sales manager, will be tendered a farewell dinner tonight at the Hickory House by associates at the Big U exchange where he was branch manager for the past ten years.

Those who will attend include Max Cohen, Big U sales head; Al Herman, district manager; Nat Goldberg, office manager; Jules E. Ligett, Harry Furst, Ben Price, Phil Winnick, salesmen; Leo Simon, James Bello, Hal Rosenthal and Jim Cummings, bookers.

Abrams assumes his new duties June 26. David A. Levy, who succeeds Abrams, takes over the post Monday following a week's vacation at Virginia Beach.

## *New York Preview*

### *"Man About Town"*

(*Paramount*)

In view of Jack Benny's popularity rating on the radio's Jello program, the exhibitor should have a field day in the exploitation and selling of this comedy to his patronage. At the same time, he need have no fear that he will let them down, since "Man About Town" offers a well-paced, lively and decidedly amusing item of entertainment, for any theatre, any time.

It is, essentially, of the type of the radio programs, transferred to the screen with the enhanced effect which that transplantation naturally affords. The gags are there in full bloom, and they kept the audience in a state of expressive enjoyment virtually throughout the film. Benny is excellent, but the picture definitely is stolen by one Eddie Anderson, colored, and more familiarly known to radio audiences as "Rochester."

The Benny "butler" and performer in the revue Benny is staging in London is the hit of the piece. The audience waits for his appearances on the screen, then greets him with enthusiasm during and after his bits. Fortunately producer Arthur Hornblow, Jr., and director Mark Sandrich have made him much in evidence. That does not imply that the film dragged without him, but that he is a major asset to the film.

Dorothy Lamour, Edward Arnold, Binnie Barnes and Phil Harris have the chief supporting roles. Morrie Ryskind wrote the screenplay, from a story by himself, Allen Scott and Z. Meyers. Benny, in London to put on his show, is in love with his star, Miss Lamour, but she considers him too solid and respectable. In an effort to correct that impression, he succeeds by accident in becoming involved with the wives of Arnold, titled Englishman, and a Frenchman.

As they go gunning for him, and he ducks, bits of his stage revue make for effective musical sequences and Rochester keeps the laughs going at a steady pace. It is an excellent piece of highly saleable entertainment.

Running time, 85 minutes. "G."* CHARLES S. AARONSON

---

*"G" denotes general classification.*

## List Party Attending Waukegan Opening

HOLLYWOOD, June 15.—Traveling to Waukegan, Ill., for the opening there of the Jack Benny Paramount film, "Man About Town," will be most of the Benny radio program cast, as well as several players.

In the party will be Mary Livingston and Benny, their daughter, Joan; Bill Morrow, Eddie Beloin and Hilliard Marx, Benny's writers; Mrs. Andy Devine, Producer Murray Boland, Mr. and Mrs. Eddie Anderson (Rochester), Jack Daily of the Paramount advertising department, Don English, Paramount still photographer, and Harry Baldwin, Benny's secretary.

Don Wilson, announcer; Phil Harris and his orchestra, and Andy Devine, will go on later via TWA; Kenny Baker and Mahlon Merrick will go by train, and Dorothy Lamour, who appears in the film, will go to Waukegan from New York.

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# New Republic Changes Set At Branches

Jack Berkowitz has turned back his Republic franchise for Albany, Buffalo and Detroit to Republic Pictures. He has been the company's distributor in these territories four years.

Sam Seplowin remains as manager of the Detroit branch. A successor will be named for Bernie Mills, manager in Albany. Arthur Newman, formerly Grand National manager in Albany who was recently named Republic special representative there, may remain as branch head. Berkowitz handled the Buffalo office.

Jack Bellman, eastern district manager, will supervise the Buffalo and Albany offices pending the appointment of branch managers.

Berkowitz was president of Republic Distributing Corp. of Upper New York and Republic Pictures Corp. of Michigan. The franchise dissolution was on a basis satisfactory to all concerned, according to Republic.

Five territorial offices are now handled by the home office. In addition to those turned back yesterday, Floyd St. John recently quit as franchise holder in Los Angeles and San Francisco.

## *London Notes*

LONDON, June 15.—General purposes committee of the Cinematograph Exhibitors' Association resolved today to appeal to Chancellor of the Exchequer Sir John Simon to withdraw his plans for film taxation.

At the same time, the group dissociated the C.E.A. from any threats of reprisal by closing the screen to films of Government activity, especially on war preparedness, as had been indicated recently.

Short subject producers estimated that the new tax equals 20 per cent of gross receipts. The newsreel association, in a statement of protest, declared the tax to be unequaled anywhere in the world.

Film imports into Eire showed a decline in April, 1939, as compared with April, 1938. The value, however, was greater. This April 592,172 feet were imported, and in April, 1938, 599,172 feet. The value rose from $17,000 to $17,500.

During the past nine months 300 films have been added to the National Film Library created by the British Film Institute, bringing the footage acquired to more than 2,000,000.

The Films Council will review a color feature produced by Horace Shepherd and submitted under the quality clause of the British distributors' quota. Its cost was below the minimum specified under the Films Act for the distributors' quota.

## *Russ Film Chief Quits*

MOSCOW, June 15.—Semyen Dukelsky resigned today as chairman of the M.P. Section of the Council of People's Commissars. Ivan Grigorivich will succeed him as head of the Soviet film industry.

# AFM Weighs Disc Machine Jurisdiction

KANSAS CITY, June 15.—Board of the American Federation of Musicians today in convention undertook consideration of a proposal that it assume jurisdiction over operations of record playing machines in radio stations, theatres and other amusement places, so that federation members will have some employment in operation of devices which continue to displace them.

Also referred to the board was the problem of phonograph music in taverns and other small places which are Ascap-free. The convention overrode the committee and turned down a proposal to give locals the right to demand for every network sustaining remote broadcast by a traveling band, a broadcast of a local band plus the right to prohibit all remote broadcasting by stations which decline the rule.

Only nominees for offices are incumbents, thus assuring the reelection of Joseph Weber as president, C. L. Bagley as vice-president, Fred N. Birnbach as secretary, and H. E. Brenton as treasurer.

## *FCC Calendar*

WASHINGTON, June 15. — Federal Communications Commission has ordered hearings held on the applications of the Hot Springs Broadcasting Co. for a new 1,310-kilocycle station at Hot Springs, Ark., and Opelika-Auburn Broadcasting Co. for a new 1,370-kilocycle station at Opelika, Ala., both with 100 watts power night, 250 watts day.

Hearings also were ordered on the applications of KMPC, Beverly Hills, Cal., for authority to move transmitter site to near Culver City, extend time from limited to unlimited and increase power from 500 watts to 1,000 watts night and 5,000 watts day; KSD, St. Louis, for change of frequency from 550 to 630 kilocycles and extensions of time from sharing to unlimited, and KXOK, St. Louis, for change of frequency from 1,250 to 630 kilocycles and increase of day power from 1,000 to 5,000 watts.

Authority to construct a new broadcasting station, to operate on 1,390 kilocycles with 1,000 watts power, has been asked by Hazelwood, Inc., Orlando, Fla.

Other applications include requests of WISN, New York, for increase of night power from 250 to 500 watts; an amendment to the application of Frank R. Pidcock, Sr., Moultrie, Ga., for a new station, changing the requested frequency from 1,500 to 1,370 kilocycles, and a request by WILM, Wilmington, for extension of time from sharing to unlimited.

Dates for hearings on broadcasting applications follow:

June 19: Application of WJBW, New Orleans, for extension of time from specified hours to unlimited.

July 11: Applications of WCOV, Montgomery, Ala., for extension of time from day to unlimited with 100 watts power, and KNEL, Brady, Tex., for extension of time from day to unlimited with 100 watts night, 250 watts day.

# BANNER LINES

### By JACK BANNER

**GUNTHER SIGNED FOR RADIO** . . . Some months ago we chronicled that NBC was seeking an international commentator of the calibre of Columbia's Hans Kaltenborn. We stated Arthur Krock of *The Times* had been offered the job, and when we learned that *The Times* would not allow Krock to go on the air we said that NBC was seeking John Gunther for the job. Both items met with furious denial here. Yesterday NBC's John Royal signed Gunther. He sails for Europe on a roving commission to traverse the continent in search of suitable air material. He will not have a set schedule but will come on the air whenever the occasion warrants.

▼

**BLACK THROUGH ON MAGIC KEY** Frank Black, who has conducted the symphony orchestra on the Magic Key series since its inception, will be succeeded by another conductor, probably Nat Shilkret, a week or so after the series changes from a Sunday afternoon to a Monday night feature.

▼

**TEXACO'S PLANS** . . . Texas Co. hasn't decided yet on Fall plans for the "Star Theatre," but it is understood the client is dickering with David Broekman, Ned Sparks, Ken Murray and Francis Langford, all of last season's cast, to return in the Fall.

▼

**EMBARRASSING** . . . Dr. Albert F. Murray, engineer in charge of research for Philco, addressed the press yesterday about a new improvement in television Philco is about to introduce. The improvement is to remove what is known as an ion blemish from the screen. An ion blemish is a dark little spot usually seen in all television screens. Following the address, Dr. Murray turned on his new invention . . . and what could be seen but a nice little dark spot smack center in the Philco screen. However, the Dr. assured all that it wasn't due to a fault in the invention. It was a hole burned in the camera lens that had occurred at a most inopportune moment.

▼

**PERSONALS** . . . Irma Phillips, script writer, is in town from Chicago, as is Carl Webster of the Webster agency. . . . Ray Katz, WHN daytime operations manager, to Hollywood today for a month's vacation. . . . Bob Crosby is in town to discuss program matters with his sponsor. . . . Charles Funnell, formerly with McCann-Erickson, joins the Compton agency as account executive Monday. . . . Mary Louise Anglin, script buyer for Compton, returns from vacation the same day. . . . Ernie Watson, NBC maestro, to Buffalo to direct the orchestra at Shea's Theatre for the Summer.

▼

**PLUNGING SAMMY KAYE** . . . Maestro Sammy Kaye noticed that a horse named Sammy K. was running at Suffolk Downs. On a hunch Kaye bet $50 on the nag which came in at 17 to 1. Or so Dave Alber tells us, and we never doubt a p. a.—much.

▼

**WHK SALUTE** . . . WHK, Mutual's Cleveland affiliate, starts operations with increased daytime power of 5,000 watts Sunday, and Mutual will tender musical salutes to its Cleveland station throughout that day and night.

▼

**PET MILK RENEWS** . . . Saturday Night Serenade, Pet Milk Co. show on CBS with Mary Eastman and Gus Haenschen's orchestra, has just been given a Summer renewal, effective July 1. The week following the renewal the show shifts to a new time, at 9:45 P. M.

▼

**WOOLLCOTT ARGUES** . . . CBS executives and members of the agency handling the Texaco "Star Theatre" had their hands full with Alexander Woollcott Wednesday night when he appeared in the studios with three stories, all "off-color" in the opinion of the authorities in charge of the show and network. Woollcott finally agreed to delete two of his stories, and he was allowed to broadcast the third—after it had been repaired satisfactorily. This one concerned the presentation of the Dionne quintuplets to the King and Queen of England.

# *FCC Calls Hearing After Protests on Censorship*

**Washington, June 15.—Complaining that its rule restricting international broadcasting stations to programs promoting "good-will understanding and cooperation" has been "misunderstood in some quarters," the Federal Communications Commission today bowed to demands from broadcasters and Congress for modification and announced that a public hearing would be held July 12.**

**The hearings will be confined exclusively to the one rule publication, which with other regulations for the 14 short-wave international stations, brought charges of censorship against the commission from both international and domestic broadcasters, the general press and Congress.**

**Senator Wheeler of Montana last week issued a warning that unless the Commission modified the order, legislation would be enacted specifically prohibiting such censorship efforts.**

# Large Screen Television Se Here Tonigl

Baird Television will show la screen television for the first timc this country tonight in the studio the Gaumont British offices.

The Baird screen is 20 x 15 Baird has been televising spor events in England on screens of size. Three theatres in London h shown prize fights, the Oxford-C bridge boat race and the Ep Downs Derby at prices ranging fr $1.50 to $5 admission.

Ian C. Javal, commercial directo Baird television, came here in A with engineers and apparatus, to d onstrate his company's large scr efforts.

## *Philco Television Inventions Shou*

Philco engineers yesterday stage press demonstration of two new t vision inventions developed in Philco laboratories. The demons tion was held in the Women's cl house on 59th St.

The inventions are a flat cathode tube, and a tube that removes the blemish usually found on most t vision screens.

The pictures seen on the flat surf of the new Philco tube seemed to h less distortion than images seen on rounded surfaces of other televis sets. The Philco screen is 6 by inches.

## *Canada Radio Set Production Gai*

OTTAWA, June 15.—Production radio receiving sets in Canada dur the first quarter of 1939 totaled 33, with an aggregate factory selling va of $806,076.

It compares with 72,710 sets, wc $2,788,907, in the previous quar and 15,648 sets, valued at $524,972 the corresponding three months 1938.

## *Open Mexican Statio*

MEXICO CITY, June 15.—First made-in-Mexico commercial ra station has opened in Tepic, capital the Pacific seaboard state of Naya The station, XEXT, owned by state government, is of 1,000 watts erating on 1,260 kilocycles. All equipment was manufactured in Federal Government's radio shop-l oratory here at a cost of about $3, which is claimed to be less than l that of imported equipment.

## *Takes KOWH Post*

OMAHA, June 15.—Clem W. You Omaha advertising man, has been pointed commercial manager KOWH. He was formerly adver ing manager of the Sioux City T bune. The World-Herald recer took over ownership of KOWH.

## *Paul Sets News Perio*

Peter Paul, Inc., has signed a ye contract for news comment on WE starting Aug. 28, Mondays thro Saturdays. Platt-Forbes agency pla the business.

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. 45. NO. 117 NEW YORK, MONDAY, JUNE 19, 1939 TEN CENTS

## KO to List ilms Today t Convention

### xpect 50 to 54 Features On 1939-'40 Schedule

KO's product lineup for 1939-'40, ected to total between 50 and 54 ures, will be disclosed to the nth annual sales convention this rnoon at the Westchester Country b, Rye, N. Y.

ed E. Depinet, vice-president, announce the new product. The ting will be opened this morning Depinet and Jules Levy, general s manager, who will preside at sessions. George Schaefer, com- y president, will meet the entire s organization for the first time e assuming the presidency.

. Barret McCormick, director of ertising and publicity, has pre- ed an announcement book which be distributed to the 250 dele- s.

. A. Schubart, manager of ex- hge operations and general con- tion committee chairman, will call roll at the opening of the session. sent will be home office and studio

(Continued on page 3)

## cket Broker Bill Assured Passage

pellman bill to limit price ad- ces by ticket brokers to 75 cents ticket was virtually assured pas- Friday when the General Wel- Committee of the City Council ed unanimously to report the bill rably on Sept. 1.

ouncilman Howard Spellman, spon- of the bill, predicts that the Coun- will pass it without a dissenting . It will go into effect probably he beginning of the new legitimate e season.

he bill will operate similarly to Feld-Crawford price-fixing act will permit theatre owners to ulate the re-sale price of tickets l to brokers or at the boxoffice.

tave A. Gerber, attorney for As- ated Theatre Ticket Agencies, at- ced the bill as unconstitutional stated that it was unwanted by tregoers.

epresentatives of League of New k Theatres, Actors' Equity, Musi- ns' Union, Local 802, Stagehands' on, Local 1, Electrical Workers' ion, Local 3, and American Fed- tion of Actors appeared in support the bill.

## *Chile Salutes U. S. Films*

**At the Chilean Pavilion of the New York World's Fair on Friday, when the Chilean Government and *Teatro al Dia,* Quigley Pan-American publication, paid tribute to the American film industry. Left to right: Martin Quigley, H. Alban-Mestanza, editor of *Teatro al dia;* Anibal Jara Letelier, Consul General of Chile to the United States; Will Hays, president of the M.P.P.D.A.; Senator Rudolfo Michels, Commissioner General of Chile to the World's Fair; Alberto Cabero, Chilean Ambassador. Story on Page 7.** (*Cosmo Sileo Photo*)

## *9x12 Foot Theatre Screen Television Amazes Press*

By JACK BANNER

Theatre television on a screen 12 by 9 feet as against the usual home screen of 10 by 7½ inches, was displayed in an amazingly successful manner Friday night by the Baird Television Corp. in an especially built theatre in the Gaumont British offices on Broadway. Several score newspapermen attended the demonstration.

A variety television program presented by NBC provided Baird the entertainment.

A burst of applause from newspapermen who have viewed all types of television without any such manifestations, was given at the conclusion of the showing, and many personally congratulated Ion C. Javal, Baird commercial director, under whose guidance the equipment was set up, at the close.

It is the first time that large screen television of quality has been seen in this country. The pictures were bright, had amazing high-quality definition, and were comparable in many ways to motion pictures of no more than a dozen years back. The apparatus demonstrated Friday is capable of projecting a picture 20 by 15 feet, although due to the limitations in size of the demonstration theatre the picture was restricted to the 12 by 9 foot size.

The television projector was located in the center of the floor of the demonstration theatre approximately 30 feet away from the screen.

## *Eddie Cantor Quits AFA Council Post*

Eddie Cantor, a member of the council of the American Federation of Actors, announced Saturday that he had resigned. He was critical of the way AFA "affairs are being run."

## Distributors Press Battle To Win Code

### *Rodgers Will Call Meeting To Decide Next Step*

Distributors' further course in obtaining exhibitor adoption of the trade practice code will be decided early this week. Allied's rejection of the code, while a discouraging factor, will not deter the distributors from putting the pact into effect.

William F. Rodgers, general sales manager of M-G-M and chairman of the distributors' negotiating committee, will call a meeting of the committee, including sales managers and company attorneys, to determine what should be done next.

The committee plans to obtain acceptances from exhibitor groups other than Allied and individual exhibitors. The committee feels that majority of independent exhibitors favor the concessions and is proceeding on that premise in the hope that arbitration boards may be set up in the 31 exchange centers by the start of the 1939-'40 exhibition season, no later than Sept. 1.

The New York I.T.O.A. is prepared to cooperate with the distributors' committee and to line up independent exhibitor support nationally.

Harry Brandt, I.T.O.A. president,

(Continued on page 6)

## British Tax Burden Put Upon Exhibitors

LONDON, June 18.—"As it is impossible for the distributors to carry the burden of the new taxes without curtailing the supply of British and foreign pictures to the extent of putting many theatres out of business, it has been decided unanimously as the lesser of two evils to pass the full burden of the increased taxes on to the exhibitors," the Kinematograph Renters' Society (distributors) announced Friday.

The statement expressed keen disappointment at the failure of the Chancellor of the Exchequer to recognize the "disastrous consequences" of the "ill-advised" tax.

The taxes will be added on all new rental contracts after June 26. The statement asks Parliament for an eleventh hour repeal of the budget. New amendments allow a two-pence rebate on standard width educational short subjects, and full rebate on sub-standard educational shorts.

# Purely Personal

MARTIN QUIGLEY, accompanied by MRS. QUIGLEY, two daughters and a son, sailed Saturday for a motor tour of Italy, France, England and Ireland. The party is expected to return on Aug. 18.

•

ALEC MOSS, Paramount advertising head at the home office, and IRVING COHEN of the legal department returned yesterday from the sales convention. MOE KALLIS of the art department, will arrive today after a stop in Kansas City.

•

ALLEN RIVKIN will arrive today from the coast. He has just finished the story of "Sarong," DOROTHY LAMOUR film for Paramount, and will spend the Summer writing in Vermont.

•

JOHN CASEY, Montreal ad sales manager for 20th Century-Fox, and MILDRED DOWBIGGIN, secretary to EDWARD ENGLISH, branch manager there, will be married July 6.

•

DON MARIO URBINI, of San Jose, Costa Rica, owner of 22 theatres in Costa Rica, Friday visited the Warners' office here.

•

BOB BRODER will leave for the coast tomorrow to attend the American Bar Association convention. He will be away six weeks.

•

E. C. GRAINGER, general manager of the Feiber and Shea Circuit, has returned after a two weeks' trip in Ohio, visiting all the theatres.

•

W. RAY JOHNSTONE, Monogram president, and EDWARD A. GOLDEN, vice-president, arrive today from the Allied convention in Minneapolis.

•

GRADWELL L. SEARS, Warners' sales manager, is back from the Minneapolis Allied convention.

•

MRS. OSCAR HAMMERSTIEN and CAROL GOODNER, actress, arrive from England today on the *Queen Mary*.

•

DAN CASEY, Universal sales manager in Australia, will sail from Sydney soon for home office conferences.

EXCLUSIVE
Official Motion Picture
Photographers
New York World's Fair
Have the sole rights
to produce and sell
STOCK SHOTS
eight, sixteen and thirty-five
millimeter
of
N. Y. WORLD'S FAIR
50,000 feet of stock shots available
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EXCLUSIVE

# Insider's Outlook

### By SAM SHAIN

PROBABLY in all the industry's history, the trade has not been beset with more politics, within and without, than at present. The wonder of it all is that the business keeps going along. In Washington, there has been a meeting between the Department of Commerce and the heads of major companies with an apparent view to dissolving some of the external political pressure against the business and liquidating some of the misunderstandings between the Government and the trade.

Similar meetings between the Department of Commerce and exhibitors are to be held. But in the meantime the Department of Justice spokesmen are saying, "What of it?"

At the same time, the Neely bill is pending, and in the House another anti-industry bill is being prepared, with large factional groups in the business engaged actively in fostering and prompting this anti-film legislation.

There are pressure groups and agitators on both sides, and it is a remarkable thing that although business in the trade is not good, the trade hasn't collapsed entirely. When that happens, the Government, the agitation groups and all of us in the business will lose out.

---

TWENTY-TWO New York film critics, the other night, tendered a dinner to a press agent. That was the first time many of us knew there were that many picture critics here.

It was probably also the first time that a publicist was so honored. The man is Leonard Gaynor, who recently resigned from the 20th Century-Fox publicity department. At the dinner, which was held in a little East Side restaurant, Pietro's, there were four critics from the *N. Y. Times* and three from the *Daily News*, besides the others. From the *Times*, there were Frank Nugent, Ben Crisler, Tom Prior, Bosley Crowther. From the *Daily News*, there were Kate Cameron, Wanda Hale, Dorothy Masters. Others included William Boehnel of the *World-Telegrah*, Howard Barnes of the *Herald-Tribune*, Leo Mishkin of the *Morning Telegraph*, Rose Pelswick of the *Journal-American*.

---

TO some men, there is no such escape from pressure of business and the routine of living, no greater relaxation than owning a boat, and we learned about it the other day when we visited with Harry Gold and his family aboard the trim craft "Haliglo" off Kenilworth.

---

NOT until you get away from New York can you appreciate what a great city it is, and we learned about it very pointedly when we returned from the coast not so long ago. Sitting in the Sherry-Netherlands dining room overlooking the Park, with Mr. and Mrs. Murray Silverstone, it was like being in Paris, overlooking the Bois—only more so.

Or, the sidewalk cafe of the Brevoort Hotel on the outskirts of Greenwich Village with Ben Washer on a hot summer's evening, sipping a Tom Collins, where you get a little bit of the Old World atmosphere.

At the Edison, with Mr. and Mrs. Roger Ferri, one evening we got that hotcha touch in cafes, celebrating their departure for San Francisco.

More active stimulation came on a visit to Jack White's or Leon and Eddie's in the heart of the Roaring Fifties, on West 52nd St. Jack White has been called one of the greatest night club performers in the business. Once or twice he went into films but always came back into that field of amusement where he has had few equals. Today equally prominent is Eddie Davis of Leon and Eddie's and between the two they corral most of the high jinks seekers within the city's gates.

---

THE N. Y. World's Fair publicists issue some interesting facts. Among these are that the men who guess your weight at the Fair work on a strict commission basis and that they are pretty good, because they earn from $40 to $95 a week.

Also that the foreign governments have spent approximately $31,000,000 on buildings and exhibits at the N. Y. World's Fair.

The average visitor to the Fair during its first month remained on the grounds for seven hours. He spent $1.17 per visit. This compares with $1.08 per capita expenditure at the Century of Progress exhibition at Chicago.

The weather angle is always important in show business. It's the same for the World's Fair and according to the latest statistics issued from there, there were only four rainy days during the first month of the big show. During that period the Fair experienced 14 clear days and 13 cloudy ones. The highest temperature was 89° on May 31; on May 3 it experienced its lowest temperature, 49°. The official New York City temperature on May 31 was 92°, so that it was 3° cooler at the Fair.

---

RKO Radio will hold the premiere of "Career" in Des Moines on July 2. Des Moines was selected because of the film's Iowa setting. In that picture there are two of Jesse Lasky's new discoveries from the first talent quest undertaken in connection with the radio program "Gateway to Hollywood."

# Trade Chiefs To Oklahoma City Meeting

OKLAHOMA CITY, June 18.—Lead ers from every branch of the film in dustry will address the annual con vention of the Theatre Owners o Oklahoma, Inc., meeting here at t Biltmore Hotel, June 26 and 27.

Speakers will include Gov. Leo C. Phillips, Robert O'Donnell, hea of the Interstate Circuit, Texas; E Kuykendall, president of the M. P T. O. A.; Jack Corgan of Dallas, on of the leading theatrical architects i the country; Dr. Henry Bennett, pres ident of Oklahoma A. and M. Col lege; David R. Milsten of Tulsa state president of Ascap; Paul Shor of National Screen Service.

Television and its probable effec upon exhibitors will have an impor tant place on the convention agenda Earl Hull, chief engineer of WKY Oklahoma City, will discuss the tele vision angle.

Morris Loewenstein, president, wi preside at the convention. The organ ization has inaugurated a monthl bulletin, the first issue of which ap peared last week.

## Don't Drop Federal Theatre, Critics Be

N. Y. dramatic critics jointly ser letters to U. S. congressmen and ser ators Friday, protesting discontinu ance of the WPA Federal Theatr Project and praising it as a "valuabl contribution" to the modern theatr Eddie Cantor telephoned the Whit House directly to join the protest.

## Williams Resigns Educational Pos

T. R. Williams, treasurer and a di rector of Educational Pictures sinc 1932, and also treasurer of Gran National, has resigned. William plans to stay in the film industry an will announce his plans soon.

## Plagiarism Suit

Milton Herbert Gropper has file suit against Warners charging pla giarism of his play, "Ex-Racketeer in the picture, "Alcatraz Prison."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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# KO to List ilms Today At Convention

(Continued from page 1)

ecutives, producers' representatives, eign delegates, salesmen, branch nagers, district and division mana-

The morning session today will be voted to a discussion of the windup current season's product by Depi- t and Levy. Talks by studio and oducer representatives will follow. The afternoon will be confined to e outline of new season's product, d the evening will be devoted to reenings, including "Bachelor Moth- " and several short subjects.

Tomorrow morning Levy will dis- ss the 1939-'40 sales policy. Phil eisman, general foreign manager, ll be chairman of the afternoon ses- m, introducing the 13 foreign dele- tes. Sales and district managers d home office department heads also ll speak during tomorrow after- on's session. The delegates will sit the World's Fair on Thursday.

Jack Ellis, song-writing salesman the New York exchange, has com- sed two songs for the convention, Ve're Going Places" and "Mr. RKO adio Jones."

Complete list of those attending the nvention follows:

**HOME OFFICE:** President George J. haefer; Vice-President Ned E. Depinet; neral Sales Manager Jules Levy; S. B. Cormick, director of advertising and blicity; A. A. Schubart, manager of ex- ange operations; C. E. Smith, western d southern sales manager; E. L. Mc- voy, eastern and Canadian sales mana- r; Harry Michalson, short subject sales nager; W. A. Clark, treasurer; W. V. rham, comptroller; W. J. Merrill, as- tant to Schaefer; Sid Kramer, mana- r print and negative department; Harry Gittleson, editor of Flash; James ark, ad sales manager; G. E. Young- an, assistant secretary; W. J. McShea, sistant manager of exchange operations; hn Farmer, executive; Harold Hendee, ector of research; Lou Gaudreau, pur- asing agent; William Mallard, general unsel; Leon Bamberger, sales promo- n manager; Dave Strumpf, art direc- ; Arthur Willi, eastern talent scout; M. Richey, director of exhibitor rela- ns; George Muchnic, assistant secretary; tgers Neilson, publicity manager; n Grimm, advertising department; M. G. Poller, manager playdate depart- ent; E. J. Smith, contract department; lph Rolan, publicity department; R. V. derson, RKO Pathe News; Lou Miller, ntract approval for west and south; W. Dahler, contract approval for eastern S. and Canada; William Horne, cir- it contact; Phil Barbanell, secretary to les Levy.

**DISTRICT MANAGERS:** H. C. Cohen, stern; W. E. Branson, midwestern; Nat vy, eastern central; S. M. Sachs, south- stern; H. M. Lyons, southeastern; J. MacIntyre, northeastern; L. M. De- ney, Canadian.

**PUBLICITY:** Jack Lewis, Jack Level, ving Shiffrin, James Boyle.

**HOME OFFICE TRAVELING REPRE- NTATIVES:** W. A. Burke, I. E. Cash- an, J. A. Downing, J. C. DeWaal, J. angberg, J. J. Schmitzer, Elmer Sedin.

**FOREIGN:** Reginald Armour, general ropean manager; Ralph Handbury, man- er for the United Kingdom; Ralph yle, manager for Australasia; Nat Lie- skind, Southern South America super- sor; Gus Schaefer, district manager for ntral and Northern South Ameria; Bert isman, manager for Peru; Max Gomez, nager for Mexico; Pedro Saenz, RKO stributor, President Cia., Cubana de liculas, S. A.; Leon Britton, manager for e Far East; Bruno Cheli, manager for azil; Fred S. Gulbransen, manager for nama; Ned S. Seckler, Cuban home of- e representative; Gordon New, manager Trinidad.

**FOREIGN DEPARTMENT, HOME FICE:** Phil Reisman, general manager; K. Hawkinson, Latin-American division nager; Michael Hoffay, publicity manager; Alfred Frank, assistant to Hawkinson; Ben Y. Cammack, assistant to Phil Reisman; B. D. Lion, European division manager; Edward Ugast, assistant to Lion; Harry Ehrreich, service manager.

**STUDIO:** Howard Benedict, studio publicity director; Charles Leonard, studio publicity representative.

**MARCH OF TIME:** Louis deRochemont, producer; Major G. Fielding Eliot, author; John Wood, treasurer; Al Sindlinger, publicity director.

**WALT DISNEY:** Hal Horne, vice-president in charge of distribution; Roy Disney, general manager; Gunther Lessing, counsel; Kay Kamen, head of Disney merchandise; Chester Feitel, assistant to Kay Kamen; Wally Feignoux, Paris representative; William B. Levy, London representative; Richard Condon, eastern publicity representative; Leo Samuels, manager foreign feature contracts; James Finey, manager domestic feature contracts.

**RKO PATHE NEWS:** Fred Ullman, vice-president and general manager; Frank Donovan, production manager.

**SOL LESSER REPRESENTATIVE:** Louis Hyman, Principal Productions.

W. G. Van Schmus, director of Music Hall; Jack Pegler, Lord & Thomas representative; Charles Casanave, National Screen representative.

**RKO THEATRES:** A. Christensen, vice-president Irving Trust Co.; O. C. Doering, Jr., counsel to Irving Trust Co.; J. J. O'Connor, general manager in charge of theatre operation; L. E. Thompson, theatre operations; Leon Goldberg, treasurer; Max Fellerman, assistant film buyer; Fred Meyers, chief film buyer; Malcom Kingsberg, vice-chairman of KAO board; Mort Singer, division operator; Nat Holt, Great Lakes division manager; H. McDonald, accounting department; Jim Brennan, New Jersey, Washington division manager; Louis Goldberg, N. Y. division manager; Harold Emdee, N. Y. division manager; Harry Mandel, director theatre publicity and advertising; Sol Schwartz, N. Y. division manager; Tom Gorman, Chicago division manager; Ike Libson, midwest division manager.

Photographer: Joe Heppner.

**ALBANY:** B. G. Kranze, branch manager; G. F. Tucker, Leon A. Herman, salesmen.

**ATLANTA:** J. B. Brecheen, branch manager; F. W. Salley, P. Harrison, R. C. Price, H. H. Wright, salesmen; I. Stone, office manager.

**BOSTON:** R. C. Cropper, branch manager; W. H. Gardiner, H. F. Goldstein, F. G. Ross, C. L. DeVizia, M. M. Ames, salesmen, C. McGerigle, office manager; J. P. Smith, student salesman.

**BUFFALO:** C. Boasberg, branch manager; J. G. Chinell, N. L. Sper, E. Lux, salesmen; R. Renz, student salesman.

**CHARLOTTE:** N. J. Colquhoun, branch manager; R. F. Branon, R. S. Mitchell, F. W. Gebhardt, salesmen.

**CHICAGO:** J. C. Osserman, branch manager; S. Gorelick, J. Cozzi, J. J. Clarke, H. H. Walders, M. J. Kassel, salesmen; R. A. O'Brien, office manager.

**CINCINNATI:** S. C. Jacques, branch manager; A. L. Sugarman, J. A. Mc-

(Continued on page 6)

# *RKO Executives at Sales Convention*

**NED E. DEPINET**
Vice-President

**GEORGE SCHAEFER**
President

**PANDRO BERMAN**
Vice-President
Production

**JULES LEVY**
General Sales
Manager

**PHIL REISMAN**
Foreign Sales
Manager

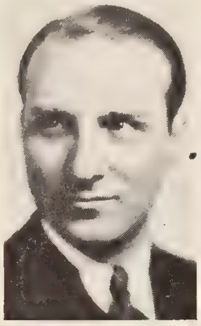
**J. R. McDONOUGH**
Vice-President

**S. B. McCORMICK**
Director, Advertising and Publicity

**E. L. McEVOY**
Eastern Sales
Manager

**CRESSON SMITH**
Western Sales
Manager

**A A. SCHUBART**
Mgr. Exchange
Operations

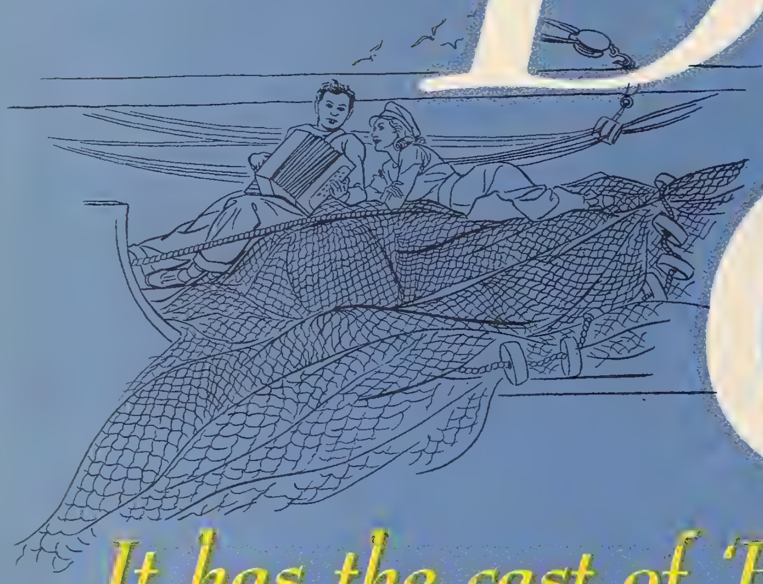


**HARRY MICHALSON**
Short Sales
Manager

**FRED ULLMAN, Jr.**
RKO Pathe News
Vice-President

## EVERYTHING THAT MADE 'FOUR DAUGHTERS' GREAT NOW MAKE THIS PICTURE STILL GREATER!

# Daugh
# Cour



*It has the cast of 'Four Daughters'*

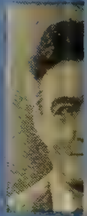
Their fame is *still greater* now!

**JOHN GARFIELD**

CLAUDE RAINS · JEFFREY LYNN · FAY BAINTER
DONALD CRISP · MAY ROBSON · Frank McHugh · Dick Foran

*and THE "FOUR DAUGHTERS"*

**PRISCILLA LANE**
**ROSEMARY LANE**
**LOLA LANE · GALE PAGE**



ers

geous

## *It has the director of 'Four Daughters'*

MICHAEL CURTIZ

His amazing hit record is *still greater* now! ('Dodge City' was his—and so was 'Angels with Dirty Faces'!)

## *It has all the "heart" of 'Four Daughters'*

**Not a sequel but a story that is even superior, a production *still greater* every inch of the way!**

Original Screen Play by Julius J. and Phillip G. Epstein • Suggested by a Play by Dorothy Bennett and Irving White • Music by Max Steiner • A First National Picture

## WARNER BROS., *Summer-Hit Headquarters!*

| Jack L. Warner | Hal B. Wallis | Henry W. Blanke |
|---|---|---|
| *In Charge of Production* | *Executive Producer* | *Associate Producer* |

# RKO to List Films Today At Convention

(*Continued from page 3*)

Knight, A. L. Kolitz, R. Williams, salesmen.

**CLEVELAND:** G. Lefko, branch manager; A. Goldsmith, M. E. Lefko, J. Lawrence, salesmen.

**DALLAS:** C. W. Allen, branch manager; W. V. Adwell, J. E. Huey, V. H. Adams, C. J. Wheeler, salesmen; R. Helms, office manager.

**DENVER:** J. H. Ashby, branch manager; F. J. Lee, F. P. Brown, salesmen.

**DES MOINES:** L. Elman, branch manager; W. F. DeFrenne, E. E. Gruenberg, P. Fine, salesmen.

**DETROIT:** J. F. Sharkey, branch manager; F. Bonnem, M. E. Cohen, Lou Padolf, salesman.

**INDIANAPOLIS:** R. E. Churchill, branch manager; R. L. Brentlinger, G. Hancock, P. J. Fortune, salesmen.

**KANSAS CITY:** T. R. Thompson, branch manager; E. L. Dyson, J. Lewis, A. A. Renfro, K. G. Howe, salesmen.

**LOS ANGELES:** N. P. Jacobs, branch manager; S. W. Whitehead, J. Rubenstein, J. F. Samuels, salesmen; Lou Fink, student salesman.

**MEMPHIS:** A. M. Avery, branch manager; Grover Wray, R. V. Reagin, salesmen.

**MILWAUKEE:** A. N. Schmitz, branch manager; M. Anderson, H. Melcher, E. Spiers, salesmen.

**MINNEAPOLIS:** L. E. Goldhammer, branch manager; W. G. Winters, A. F. Stern, E. C. Stengl, F. Abelson, Joseph Loeffel, salesmen.

**NEW HAVEN:** B. Pitkin, branch manager; W. Canelli, salesman.

**NEW ORLEANS:** P. M. Baker, branch manager; R. E. Pfeiffer, T. C. Cox, salesmen.

**NEW YORK:** R. S. Wolff, branch manager; P. Hodes, E. T. Carroll, J. J. Dacey, J. Ellis, L. I. Kutinsky, H. Zeitels, salesman; F. Drum, office manager.

**OKLAHOMA CITY:** R. B. Williams branch manager; P. D. Fielding, C. A. Blakeley, Scot Chestnutt, salesmen.

**OMAHA:** C. J. Dressell, branch manager; Sol Yeager, J. Rosenberg, R. Olson, R. F. Egner, salesmen.

**PHILADELPHIA:** F. L. McNamee, branch manager; S. Lefko, H. W. Tyson, M. Shulman, J. J. McFadden, Jr., E. J. Epstein, salesmen; C. Zagrans, office manager.

**PITTSBURGH:** H. H. Greenblatt, branch manager; R. H. Lange, J. Graham, E. Lebby , J. P. Lefko, salesmen.

**PORTLAND:** M. E. Cory, branch manager; S. S. McFadden, G. M. Engelman, salesmen.

**ST. LOUIS:** R. V. Nolan, branch manager; H. D. Levy, M. A. Raymon, L. S. Gruenberg, salesmen.

**SALT LAKE CITY:** H. C. Fuller, branch manager; G. Davidson, A. T. Mabey, A. W. Baron, salesmen.

**SAN FRANCISCO:** G. William Wolf, branch manager; G. R. Seach, E. A. Stein, C. J. Crowley, salesmen.

**SEATTLE:** E. A. Lamb, branch manager; J. F. Burk, L. L. Goldsmith, salesmen.

**SIOUX FALLS:** S. W. Fitch, branch manager; E. J. Frace, C. H. Snyder, salesmen.

**WASHINGTON:** R. J. Folliard, branch manager; H. E. Kahn, E. W. Grover, C. Knox, A. P. Folliard, salesmen.

**CALGARY:** H. F. Taylor, branch manager; J. McPherson, salesman.

**MONTREAL:** Mark Plottel, branch manager; H. B. Miller, salesman.

**ST. JOHN:** E. A. Whelpley, branch manager.

**TORONTO:** J. F. Meyers, branch manager; M. L. Devaney, H. Decker, salesmen.

**VANCOUVER:** W. S. Jones, branch manager.

**WINNIPEG:** H. Woolfe, branch manager; L. Plottel, salesman.

## *Fair Signs Winik*

Official Motion Picture Producers, Inc., headed by Leslie Winik, has been signed as the official World's Fair photographers, and will handle exclusively all non-theatrical films of the Fair. Edward Ruby is the producer of the series, assisted by Harold Godsoe.

## RKO Sidelights at the Convention

"Uncle John Dacey" of New York is known as the "Daddy of Pathe News" and has never missed an issue since it reached the screen.

Although with RKO some twenty years, "Gabby" Dyson of Kansas City still holds the secret of what that L (Earl L.) stands for.

Eph Rosen is "A Man to Remember" in his territory—knows the exhibitors and their children, and the history of each family and community he visits.

Kay Kamen, best trainer of licensees in the industry and the person who has put Mickey Mouse on so many, many things, is now trying to put him on the point of a pin.

Lou Miller was spied sporting a cane—no, just a minute, not a cane, but a niblick!

Barret McCormick has been commuting early and often via plane from New York to Hollywood, Chicago, etc., of late and rates some kind of aerial honors.

Publicity Manager Rutgers Neilson and "Flash" Editor Harry Gittleson have the tremendous tasks of arranging for photographs and putting the convention into words. These boys are covering more ground than the Yankee outfield.

Roy Churchill of Indianapolis is said to keep in trim by walking while Mrs. Churchill uses the car.

Every exhibitor in the territory of Harry Tyson of Philadelphia has a standing invitation to visit Hollywood (Harry lives in Hollywood, Fox Chase, Pa.)

A convention bridegroom is Sam Lefko of Philadelphia.

Leonard Gruenberg of St. Louis is a candid camera enthusiast.

The weaknesses of Sol Yaeger of Omaha are dogs, pipes and diamond rings.

The twin sons of Stan Jacques of Cincinnati, Robert and Donald, are learning the inside of motion pictures at the University of Southern California.

If someone calls out numbers, "Prof." Davison of Salt Lake City is likely to fold his right arm and start moving. Davison was once a star football player.

Rogers Mitchell of Charlotte is an authority on bridge.

New Yorkers report that they are planning to send out a checker to verify Harry Zeitell's golf scores.

## Court Finds RKO Arguments Weak

U. S. Circuit Court of Appeals Friday indicated that it saw little merit in the contentions of John S. Stover, attorney for Ernest W. Stirn, and C. Frank Reavin, attorney for Copia Realty and Fabian Operating Corp. who argue that the RKO reorganization plan, confirmed by Federal Judge Bondy, should be upset because it is unfair and inequitable.

Both Judge Hand and Judge Patterson, however, showed interest in the arguments raised by Nathan Rosenberg, attorney for H. Cassel & Co., holder of $217,000 in RKO debentures.

Judge Hand stated that he did not understand Stover's grievance, and declared that Stover would force the company to start anew and would scuttle the entire reorganization. Reavin asked that the court direct the plan to include a provision for the sale of RKO stock, followed by holding the receipts in trust in order to protect his clients, Copia and Fabian, who are contingent creditors, from the possibility of RKO failing again within the next few years. Judge Hand, however, indicated that this course of action was not feasible.

## *Ohio Court Upholds Sunday Show Bans*

Columbus, O., June 18.—The Ohio Supreme Court has upheld the right of municipalities to forbid Sunday film showings. It also refused to consider any further appeals.

## *Continue Admission Taxes, House Urged*

**Washington, June 18.—Admission taxes are to be continued for another two years and the undistributed profits tax eliminated in favor of a flat levy on corporate income, under revenue legislation submitted by the Ways and Means Committee to the House of Representatives Friday.**

**The bill is to be taken up for passage this week. Action of the committee with respect to the admission tax was fully expected, Administration plans calling for an extension of all of the so-called nuisance levies.**

## *ITOA and Operators Resume Wage Talks*

Discussions will be resumed today between the I. T. O. A. and Operators' Local 306 on the appointment of a neutral arbitrator in the negotiations on wage scales and working conditions.

A session was held Friday between W. French Githens and David Weinstock, I. T. O. A. arbitrators, and Joseph D. Basson, president, and Charles Kielhurn, business agent, of Local 306, named as arbitrators for the local.

The union is seeking a substantial increase in wages and shorter hours, which the exhibitors say they cannot afford. The union's original demand was for a 40 per cent increase.

# Distributors Press Battle To Win Code

(*Continued from page 1*)

Saturday issued a statement criticizing the Allied's rejection of the code. It reads in part:

"In Minneapolis, I spoke to an number of Allied men, and did [illegible] find one who did not want to sign the code. This is in direct contrast to the attitude adopted by Allied leaders.

"Allied leaders, in a star chamber session, rejected the code even before the convention was opened, which shows the respect they have for the opinion of Allied's exhibitor members. The open forum on Wednesday was no open forum at all.

"The I.T.O.A. has accepted the code with the provision that several clauses in the arbitration set-up will be changed in accordance with our counsel's service. . . ."

In a letter accompanying Allied States' negotiating committee's report rejecting the code, Rodgers is the subject of criticism for his "attitude at the Minneapolis convention."

George Gold, president of New Jersey Allied, said that his organization will support the decision of the national board. Sidney Samuelson, New Jersey Allied's delegate to the national convention, will report at the unit's meeting at Asbury Park June 27 and members' sentiment will be determined at that time.

Gold's specific objection to the code is that the arbitration rules on clearance do not treat independent exhibitors fairly in that distributors and affiliated circuits are permitted one arbitrator each, as against one for the independent theatre owner, in addition to two neutrals.

Max A. Cohen, president of New York Allied, had to be back in New York before the debate on the code at the national convention and therefore withholds comment until he has conferred with unit's other delegates.

## *Documentary Film Makers Organize*

Organization of the Association of Documentary Film Producers was announced Saturday. Officers are: Joris Ivens, president; Paul Strand and Willard Van Dyke, vice-presidents; William Osgood Field, treasurer; Mary Losey, secretary; Lionel Berman, Joseph Losey, Irving A. Jacoby, committee chairmen.

## *AFA Asks Confidence*

Vote of confidence will be sought by American Federation of Actors officials at a midnight mass meeting tonight at the Hotel Edison. Sophie Tucker, A.F.A. president, visited night clubs, theatres and World's Fair shows over the weekend to invite attendance. Meeting is scheduled to run until dawn with supper being served to permit performers to arrive immediately after their shows are over.

## *Griffith Joins Roach*

Hollywood, June 18.—D. W. Griffith will return to active participation in the film industry this week as a member of the executive staff at the Hal Roach Studios.

# hile Tribute Paid to Film Trade at Fair

irst tribute to the motion picture ustry at the World's Fair was preted by the Government of Chile day at that country's pavilion.

bout 300 persons representative of industry, including many leaders, nd the gala reception, which was nsored in conjunction with *Teatro Dia,* Quigley Pan-American publin.

mong those attending were Amsador Alberto Cabero, of Chile; ator Rodolfo Michel, Commisner General of Chile to the World's r; Anibal Jara Letelier, Chilean nsul General; Alfonso Merlet, lean delegate to the Fair; Will H. ys, president, M. P. P. D. A.; rtin Quigley and Sam Shain, tor of MOTION PICTURE DAILY.

BS in a special short wave argement broadcast an hour's salute the Chile and the American motion ture industry. Quigley, sending etings to Latin America, observed: is fitting that the first Panerican gathering of motion picture n should be held on the occasion of World's Fair, under the auspices Chile, a people who have a record uninterrupted and genuine friendp for the United States of America. In the motion picture industry, ticularly, Chile stands out as a prossive nation. I am sure the Amern industry shall always seek to preve and safeguard this relationship."

## *. S. to Ask Defense Books in Trust Suit*

Government will subpoena books records of all defendants for exination before trial of the antist suit, Special Assistant Attorney neral Paul Williams told Federal ge John W. Clancy Friday.

udge Clancy reserved decision on notion by Columbia for a further of particulars and an extension time to answer. Louis D. Froh- n, Columbia attorney, pointed out t Columbia could not have entered conspiracy in 1918, as charged, ause it was not organized until 4. Question of whether alleged s against Texas theatres included the Interstate case could be rered to again in the present suit also s argued.

## *rainger Finishes 6 Yr. Universal Tie*

HOLLYWOOD, June 18.—Edmund ainger, for the past six years assote producer at Universal, Friday npleted his contract and has cked off the lot. During that period produced approximately 50 pices. Following a short vacation, ainger, son of J. R. Grainger, presit of Republic, will announce a v affiliation.

## *race Cartoon History*

A survey of the development of the mated cartoon and the puppet film l be given at the Museum of Mod Art Film Library tomorrow. The gram has been arranged by Joseph sey, and will trace the development the medium since 1907.

# BANNER LINES

### By JACK BANNER

**MUTUAL EXPANDS** . . . Mutual network expands into the Southwest with the acquisition, effective today, of four North Carolina stations. They are WRAL, Raleigh; WSOC, Charlotte; WSTP, Salisbury, and WAIR, Winston-Salem. The additions bring the Mutual network total to 118 stations. Arrangements for the affiliations were made by Fred Weber, network's general manager.

▼

**SAPHIER WEDS** . . . Jimmy Saphier, the Music Corp. executive, eloped to Las Vegas with Erna Finston, daughter of the M-G-M musical director, we have just learned.

▼

**PROGRAMS DROOP** . . . New Crosley just out discloses every major program on the air taking a downward swoop in rating, except the Lux Radio Theatre, which has taken a healthy rise.

▼

**PERSONALS** . . . Joe Donahue, producer for the Esty agency, left for Hollywood Saturday to take up production of the "Blondie" program. . . . Oliver Jensen has joined the publicity staff of Benton & Bowles in New York.

▼

**PHIL LORD SET**. . . "Mr. District Attorney," Phil Lord's sustaining show, has finally been selected as the replacement to the Bob Hope series, although it comes as a surprise to no one. Harry Herman will write the script, and Ed Byron will produce. Arlene Francis has been given the lead feminine role.

▼

**YOUNG SARNOFF GETS JOB** . . . Bob Sarnoff, youngest son of David Sarnoff, and just out of Harvard, is working in radio, but not for his dad's interests. Bob is now a member of John S. Young's radio staff at the World's Fair.

▼

**NEW NBC POLICY** . . . NBC is adopting a new policy on courtesy announcements. Heretofore, an announcement of explanation was made when a commercial program was cancelled for a program such as a Presidential Fireside chat, or any other broadcast of such importance, immediately preceding and following the substituted program. Now, however, NBC is notifying advertising agencies that such announcements hereafter will be given "as near to the advertiser's time as possible." It is presumed that the network is taking such action in order to avoid any chance of being criticised for allowing an advertiser to cash in on, say a Presidential broadcast.

▼

**MORE STATIONS FOR BENCHLEY** . . . Bob Benchley will have one of the largest networks of any program when his sponsor adds five more outlets on July 4. The total number of stations for the Benchley series after that date will be 105.

▼

**WNEW WINS LOCAL SURVEY** . . . WNEW is shown as the most popular independent station in New York in the newest Hooper-Holmes Bureau survey.

▼

**RKO "GATEWAY" TO IOWA** . . . "Gateway to Hollywood" broadcast will come from the stage of the Shrine Temple in Des Moines on July 2, date of the world premiere of the picture, "Career." Winners of the "Gateway" contests appear in Career." Des Moines has been chosen for the site because the locale of the picture is Iowa, and the home of the writer of the story, Phil Strong, is near Des Moines.

▼

**PRESS WOMEN TO GIVE RADIO AWARDS** . . . National Federation of Press Women will make awards to radio programs at a banquet in the Waldorf a week from today. CBS will broadcast the awards banquet. H. V. Kaltenborn heads the list of speakers.

## *Visual Education Meet Opens Today*

CHICAGO, June 18.—National Conference on Visual Education and film exhibition will be held here at the Francis W. Parker School, beginning tomorrow. It will be the ninth annual session of the group. A. P. Hollis is director of the conference.

## *New Cincy Competition*

CINCINNATI, June 18.—Exhibitors here face new competition, in addition to amusement parks and major league ball games, from the summer season of Zoo opera, opening June 25, and the Bryant Players, who this week inaugurate their annual summer season of plays on a show boat in the Ohio River.

## *Ohio Film Tax Suit Extended to July 1*

COLUMBUS, O., June 18.—Franklin County Court of Appeals has granted an extension to July 1 for filing answers in the suit of John V. Bostwick, a taxpayer, against the Tax Commission of Ohio.

The suit challenges the commission's authority to exempt film rentals from the state sales tax, and seeks to enforce collection of the tax since the law became effective a few years ago.

## *Jury Condemns Film*

A federal jury Friday voted to destroy for indecency the Viennese film, "Science of Mankind" or "Mysteries of Sex." The film was impounded by the Government several years ago and Jewel Productions, Inc, the importers, sued for its release.

# France Drops From Venice Film Festival

PARIS, June 18.—The French Government has decided officially to abstain from the International Film Festival at Venice next August. French producers may present their films individually.

The United States and England also will not be officially represented. France will hold its own exposition on similar lines under the auspices of Jean Zay, Minister of Education.

It will be held at Cannes, Sept. 3 to 17, with the United States and England expected to be officially represented.

Signor Croze, Italian Government representative, has been unsuccessful to obtain English and French participation in the Venice festival. American and British delegates resigned as members of the international jury at the close of last year's festival due to alleged discrimination.

The French film pioneer, Louis Lumiere, will be honorary president of the French exposition.

## *Drama Guild Acts On Pact Tomorrow*

Producers of legitimate stage plays over the week end declared it is "too early" to comment on proposed modifications of the Dramatists Guild pact which would permit film rights to be purchased in advance of production.

Producers were given their first official view of the modifications last Thursday, although negotiations between film companies and the Guild have been conducted over a two-year period.

Informal comment from producers indicated that they were eager for the return of Hollywood backing. Some restrictions on the closing of a play are regarded as burdensome, but it is likely that they will be accepted.

Another meeting is scheduled in ten days. Guild council is scheduled to approve the modifications at a meeting tomorrow.

## *Chicago Mayor Lifts Ban on 'Oppenheim'*

Mayor Edward J. Kelly of Chicago has reversed Police Lieutenant Costello, local censor, on his ban of "The Oppenheim Family," Russian film of Nazi persecutions, according to word received by Amkino, Russian film distributor.

Costello had declared that the picture might incite disturbances and that "a foreign power" had protested its showing. Mayor Kelly, in lifting the ban, stated that as long as he is Mayor, any anti-Nazi and anti-Fascist picture will be permitted in Chicago.

## *Doob Services Held*

CINCINNATI, June 18.—Funeral services for Henry Doob, 80, father of Oscar A. Doob, Loew's director of advertising and publicity, were held here today. He died suddenly Thursday following a heart attack. Surviving are another son, Edgar, manager of Loew's in Wilmington, and a sister, Irene, of Chicago.

# "Clouds" has Silver Linin
# for Box-Office!..

# N. Y. CRITICS PRAISE "CLOUDS OVER EUROP
# AT RADIO CITY MUSIC HALL

## N. Y. WORLD TELEGRAM

"If it's thrills you want, you'll find them in abundance in this expert bit of spoofing. My enjoyment was considerable and consistent... artful blend of banter and espionage."

## N. Y. POST

"Excellent! Yields to none in point
entertainment. It would be a grievou
error to pass up the Music Hall thi
week. Laurence Olivier is already on
the heart-stimulant lists of all perceptive females."

## N. Y. DAILY NEWS

"Lively spy picture... done with a lightness of touch that reminds us of Alfred Hitchcock, and with a wit that is completely original. Bright dialogue . . . an exceptionally fine cast!"

## N. Y. DAILY MIRROR

"Highly polished spy melodrama. A brisk, lively picture acted by a winning company, injecting happy air of frivolity into the grim business with which it deals."

## N. Y. TIM

"One of the ple
antest to come
the screen t
season. 'Requir
reading' for eve
movie-goer."

## N. Y. HERALD TRIBUNE

"First rate performing, pace, cumulative suspense, infectious humor. Engaging, entertaining show, with vastly effective battle for climax."

## N. Y. MORNING TELEGRAPH

"Starts with a bang. Clips along at a breathtaking gallop with effective high jinks into the realms of comedy, romance and what have you."

## N. Y. JOURNAL & AMERICAN

"Diverting spy melodrama."

**LAURENCE OLIVIER in "CLOUDS OVER EUROP**

**RALPH RICHARDSON** · **VALERIE HOBSON** · Screen Play by IAN DALRYM
DIRECTED BY TIM WHEL

**A COLUMBIA PICTURE**

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First in
Film and
Radio News
Brief,
Accurate
and
Impartial

NO. 118 NEW YORK, TUESDAY, JUNE 20, 1939 TEN CENTS

# 2 Features On RKO List Next Season

### 0 Salesmen Will Hear Schaefer Today

new season production schedule 52 features, six westerns and 94 rt subjects and 104 issues of RKO he newsreel was described to the O sales force at the opening ses- yesterday of the company's inter- ional sales convention at the West- ster Country Club, Rye.

nnouncement of the product fol- ed introduction of George J. Schae- RKO president, to the sales rep- ntatives and reports by Jules Levy selling accomplishments of the do- stic organization during the past son. Ned E. Depinet, vice-presi- t and distribution head, announced product to the meeting.

mong the features listed are the owing:

The Hunchback of Notre Dame," ring Charles Laughton, to be di- ted by William Dieterle, who will borrowed from Warners for the gnment.

The American Way," a picturiza- of the George Kaufman and Moss rt play, to be produced by Max don and Harry Goetz. Kaufman scheduled to direct.

Abe Lincoln in Illinois," a picturi-

(Continued on page 3)

# ast Rites Today For Isidor Frey

uneral services will be held at 2 M. today for Isidor Frey, 61, istant general counsel of Loew's, , who died Sunday morning in Sinai Hospital following an ill- s of three weeks.

Judge" Frey, as he was known, ough he never held judicial of- , was an assistant secretary and irector of the company, with which was associated 20 years.

ervices will be held at Riverside morial Chapel, 76th St. and Am- rdam Ave. All of Loew's directors officers will attend.

orn in New York, the son of Jo- h and Babette Frey, Judge Frey nded schools here and received a degree from New York Univer- . He was admitted to the Bar in 9 and began the practice of law the office of the late Alfred Steck- . former Supreme Court justice.

(Continued on page 12)

# *Film Men Today Arrange Short Wave Broadcasts*

Advertising and publicity heads of all the major film companies, together with representatives of the foreign departments, meet today at the Hays office to consider the offers of Columbia Broadcasting System and the National Broadcasting Company, to make available to the film industry a 5-day weekly, 15-minute short wave broadcast of picture news to Latin America and Europe.

At today's meeting the group will hear opinions of the foreign representatives to whom the proposals had been submitted following an original meeting early this month of advertising and publicity chieftains.

Favorable action is expected. In that event, the programs may begin every soon, and an operating committee to work with the networks probably will be set up. It also is intended to establish a unit on the Coast which will work with the these groups in assembling and preparing the copy for the broadcasts.

These broadcasts will be given each day in a different language, including Spanish, French, Portuguese, Italian and French.

# *Bronx Theatres Sign Pact To Stop Admission Abuses*

An agreement to abide by minimum admission clauses in film contracts and eliminate indiscriminate distribution of passes, five-cent admissions, two-for-ones and other cut-rate practices has been entered into by a dozen theatres in the Bronx.

The agreement results from conferences held by Louis Nizer, attorney, who was called in to mediate complaints by exhibitors that others in the Bronx were violating minimum admission provisions. It was feared the practice would spread.

The agreement restricts the issuance of passes to advertising on the basis of one pass for each ad tieup. Heretofore the passes have been distributed in the neighborhoods and carried a service charge. Some of the cut-rate admissions were two for five cents. Minimum admissions in contracts are 10 or 15 cents.

An agreement among some of the exhibitors was reached on June 7 and at a meeting in Nizer's office yesterday the other involved exhibitors signed the pact.

The agreement states that "issuance of passes is to the detriment of our business and we believe it is desirable

(Continued on page 9)

# *Majors Must Give Trust Suit Answers in 10 Days*

As a result of the filing by the Government yesterday of its supplemental bill of particulars in the anti-trust suit against the majors, the defendant companies must file their answers within 10 days.

The necessity for the answers in 10 days was incorporated in the order of Federal Judge Bondy directing the filing of the Government supplemental bill of particulars, which includes very few details not already set forth in the action.

The Government bill states that Universal Pictures Corp. is the only major defendant not charged with coercive selling methods.

The bill defines the words "participation" and "interest" of the defendants in theatres which would determine whether a theatre is an affiliate. Affiliation is created, the bill said, by the activities or relationship of a theatre executive or manager with a major or its subsidiary, taking into consideration competitive conditions in the locality of the theatre.

The Government, however, does not claim affiliation if the only interest of a defendant in the theatre is a share of receipts for specified pictures pursuant to customary percentage clauses in contracts.

# Kuykendall, Hopkins Talk Tomorrow

### *Allied Officials to Capital After Fourth of July*

WASHINGTON, June 19.—Department of Commerce officials will meet Wednesday with Ed Kuykendall and any officials of the M. P. T. O. A. whom he may bring to Washington, to discuss exhibitor problems but will not confer with Allied officials or again with the producers until after Independence Day, it was learned today.

Officials of the department said they have not been informed whether Kuykendall will come alone or bring a group with him.

The delay in meeting with representatives of Allied, it was explained, is due to the fact that officers of that association could not reach Washington until next week. Other engagements for the entire week already had been made by the department officials who are handling the film conferences.

Ernest A. Tupper, chief statistician, who last week conferred with J. H. Hazen of Warners in New York, expects to hold another meeting with him in the near future for further discussion of the material which is being gathered, but said no general meeting with the producer group would be held until after July 6.

# Paramount Elects 16 Directors Today

Reelection of all 16 Paramount directors is anticipated at the annual meeting of stockholders of the company at the home office today.

Directors are Adolph Zukor, chairman; Barney Balaban, president; Stanton Griffis, executive committee chairman; Y. Frank Freeman, vice-president and studio head; Austin C. Keough, vice-president, secretary and chief counsel; Neil F. Agnew, vice-president and distribution head; John W. Hicks, Jr., vice-president and foreign distribution head; Stephen Callaghan, Harvey D. Gibson, A. Conger Goodyear, Duncan G. Harris, John D. Hertz, Earl I. McClintock, Edwin L. Weisl, Maurice Newton and E. V. Richards.

Indications yesterday were that sufficient proxies had been deposited with the company's proxy committee to provide a quorum for today's meeting.

# Save Federal Theatre! N.Y. Plea to Senate

Delegation headed by Frank Gillmore, president of Associated Actors and Artistes of America, is scheduled to fly to Washington today to appear before the Senate Finance Committee to protest the proposed dropping of the WPA Federal Theatre Project.

Gillmore will charge that committees investigating the project never called upon persons actually working in the theatre for information. "The Federal Theatre has given new life and hope to thousands formerly employed on the legitimate stage, and brought the theatre to millions who never knew it before," Gillmore stated.

Others in the delegation include Tallulah Bankhead, Blanche Yurka and Philip Loeb, members of Actors Equity Council; Herman Shumlin, producer, Donald Ogden Stewart, author, and James Brennan, vice-president of I. A. T. S. E.

## *Kansas City Houses Protest Carnivals*

KANSAS CITY, June 19.—Influx of carnivals, most of them obtaining the sponsorship of neighborhood civic groups to prevent protests of residents, finally drew protest from exhibitors here.

E. S. Young of the Central, Jay Means of the Oak Park and Bagdad, and Arthur Burke of the Gillham appeared before the City council to protest specific carnivals. In one instance the sponsor was a ward political club, in the other, a boy scout troop.

## *Goetz, Montgomery Will Sail Tomorrow*

Ben Goetz, in charge of M-G-M production in England, and Robert Montgomery, accompanied by his wife and two children, arrived in New York from the coast yesterday, and will sail on the *Queen Mary* tomorrow for England. The star will make two pictures in England.

Montgomery's two films, to be made at the Denham studios for M-G-M, will be "Busman's Honeymoon" and "The Earl of Chicago."

## *"Career" Special Set*

DES MOINES, June 19.—Approximately 75 players and film and radio executives are expected here by special train July 1 for the world premiere of the RKO film, "Career," at Tri-States Orpheum and Paramount July 2.

## *Eddie Healy Killed*

PROVIDENCE, June 19.—Eddie Healy, 44, formerly of the vaudeville team of Healy & Cross, plunged to his death yesterday in an effort to escape from a fire-swept building. Two others died in the blaze.

## *Chicago Palace to Close*

CHICAGO, June 19.—RKO Palace here will close June 29 for six weeks. It is understood a shortage of product is the cause of the shutdown.

# *Purely Personal*

JAMES R. GRAINGER, Republic president, left last night for Buffalo and Albany, where he will confer with JACK BELLMAN, eastern district manager, and then will go to Detroit where he will meet MAX ROTH, midwest district head.

•

MARTIN GOOD RIDER, 13-year-old Blackfoot Indian boy, who appears in 20th Century-Fox's "Susannah of the Mounties," will arrive in town today to attend the premiere of the film at the Roxy Friday. He will be accompanied by ARCHIE BIG WIND, nine. The two will make a later appearance at Loew's Poli, Bridgeport, Conn.

•

MR. and MRS. E. F. CLARKE, Mattoon, Time and Clark Theatres, Mattoon, Ill.; JOHN CONNOR, JR, Savoy, Glace Bay, Nova Scotia, and R. I. PAYNE, R. E. Griffith Theatres, Dallas, were visitors yesterday at the RKO World's Fair lounge.

•

W. A. SCULLY, general sales manager, and W. J. HEINEMAN, western division manager of Universal, returned over the weekend from Minneapolis. F. J. A. MCCARTHY, eastern division manager, is expected back next week from the south.

•

HOWARD DIETZ, M-G-M advertising and publicity director, left last night for the coast on the American Airlines *Mercury*. He will line up campaigns for fall films and returns in two weeks.

•

JAMES JORDAN, Universal contract department manager, and TOM MURRAY, branch operations assistant to W. A. SCULLY, general sales manager, are touring the various company branches.

•

JAMES F. GREENE, DORTHE HOFFMAN and MICHAEL RAYMOND have sold their original story, "Newspaper Handicapper" to Victory Pictures, as a vehicle for JAMES DUNN.

•

L. W. CONROW, president of Altec, has returned to New York after visits to the conventions of the M. P. T. O. of Virginia at Roanoke, and Allied States at Minneapolis.

•

MILTON BIOW of the Biow advertising agency and MRS. BIOW returned yesterday on the *Queen Mary* from a European vacation.

•

WILLIAM A. WARNER has been named assistant manager in Philadelphia for Ross Federal. J. A. KRAKER is branch head.

•

EUGENE LOURIE, designer of the sets for "Grand Illusion," sails tomorrow for France after several weeks in New York.

•

BEN LYON and BEBE DANIELS arrive today on the *Ile de France* from a personal appearance tour abroad.

•

EVAN JACOBS, 20th Century-Fox booker in Des Moines, is spending a two-week vacation in New York.

•

MR. and MRS. J. DON ALEXANDER have returned to Colorado Springs after a New York visit.

•

MORTON FRANK of the Pittsburgh *Press* is in town.

HARRY M. WARNER has received the Department Commander's Gold Medal of the Veterans of Foreign Wars, in Hollywood for "distinguished patriotic service during a perilous period."

•

CHARLES LAUGHTON arrived in New York yesterday on the *Queen Mary*, accompanied by MAUREEN O'HARA, who has the feminine lead in "Jamaica Inn," LAUGHTON film which Paramount will release. LAUGHTON will leave tomorrow or Thursday for the coast, to appear in "The Hunchback of Notre Dame" for RKO.

•

ALEXANDER HALL, director of Columbia's "Good Girls Go to Paris," arrived yesterday for the opening of the picture at the Music Hall Thursday and a careful checkup of Broadway productions. He will be here a week.

•

BILLIE SIMONS, Universal home office employe for the past nine years, was married Sunday to JOSEPH WRIGHT. The couple is honeymooning in Canada and New England.

•

PEGGY WOOD left for the Coast yesterday for work in the forthcoming "Housekeeper's Daughter," which HAL ROACH will produce and direct for United Artists release.

•

EVERETT CROSBY, brother and business manager of BING, and his bride, the former FLORENCE GEORGE, returned yesterday on the *Queen Mary* from their honeymoon.

•

PAUL N. TURNER, counsel to Associated Actors and Artistes of America, is vacationing at his Summer home in Nantucket. He is due back at his desk next Monday.

•

GEORGE BLENDERMAN, head booker at the 20th Century Fox New York exchange, left over the weekend for a two-weeks vacation. He is due back at his office July 5.

•

BRODERICK CRAWFORD, featured player in GOLDWYN'S "The Real Glory," returned to Hollywood yesterday after a week's stay here.

•

PAUL MUNI returned yesterday from a Honolulu vacation to start work on "We Are Not Alone" at the Warner studio.

•

DAN CARROLL, managing director of the Birch, Carroll & Coyle circuit, Australia, will sail on the *Queen Mary* for England tomorrow.

•

GABRIEL PASCAL, British producer, arrived yesterday from the coast where he conferred on his next film for M-G-M.

•

ELSIE BERGER of the bookkeeping department of 20th Century-Fox and LOUIS SKLAR will be married next month.

•

STUART DUNLAP, M-G-M managing director in Chile, is vacationing on the coast with MRS. DUNLAP.

•

ANN SOTHERN has been given a new long term contract by M-G-M.

•

MARGARET LOCKWOOD sails tomorrow for England on the *Queen Mary*.

# Pennsylvania Circuit Taxes Ruled Illega

HARRISBURG, Pa., June 19.—Th Pennsylvania Supreme Court here today upheld a decision of the Dauphi County Court invalidating the graduated chain store and theatre [illegible] tax enacted by the 1937 stat[illegible]lature.

The lower court in March had hel the tax, ranging from $1 to $500 pe year, depending on the number ( store or theatre units operated by on corporation within the state, to be unconstitutional. The state appealed t the Supreme Court.

The high court's decision was unanimous. Justice James B. Drew wrot the opinion, and Justice Horace Ster wrote a concurring opinion. The collection of the tax had been stayed b injunction pending disposition by th courts.

State's Attorney General Reno ha not yet decided whether he will carr the case to the United States Supreme Court.

The state high court held that th tax, progressively graduated, lack uniformity, and therefore is unconstitutional.

## *Carry Wisconsin Tax Fight to Publi*

MILWAUKEE, June 19.—Local exhibitors are going directly to the public in fighting the state bill which provides for a three per cent theatre admission tax.

Through handbills and trailers the are urging patrons to phone, wire o write their Senators or Assemblyme voicing their objection to any additional tax on theatres.

Patrons are informed that if th bill passes, it will necessitate an increase of the admission price in ever theatre in the state and will forc many theatres to close, thereby addin to unemployment.

## *Two Companies Formed*

ALBANY, June 19.—Recently forme here have been Bible Picture Management Corp., to distribute religiou films, by Bertram Reshkin and Orvil C. Sanborn, New York, and Radian Productions, Inc., Jacques Kappes Jacques Green and Joseph M. Herman

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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# 2 Features On RKO List Next Season

(*Continued from page 1*)

ion of Robert E. Sherwood's Pulit-
Prize play, with Raymond Massey
the title role. John Cromwell will
e[illegible]or Max Gordon and Harry
e[illegible] roducers.
'Passport to Life," starring Cary
ant.
'Vigil in the Night," by A. J.
onin, starring Carole Lombard.
orge Stevens, producer-director.
reenplay by Norman Krasna.

### 'Ivanhoe' Coming to Screen

'Ivanhoe," a picturization of Sir
alter Scott's novel. "My Fifth
enue Girl," starring Ginger Rogers,
egory LaCava, producer-director,
a second Ginger Rogers vehicle.
'Allegheny Frontier," based on
he First Rebel," by Neil Swanson.
J. Wolfson, producer-writer; Wil-
m Seiter, director. John Wayne,
aire Trevor, Bob Burns and Sir
dric Hardwicke in the cast. "Chas-
Rainbows," Harold Lloyd, pro-
cer; "Parts Unknown," George Ste-
ns, producer-director; "Nurse Edith
vell," starring Anna Neagle, with
rbert Wilcox directing; "The Man
ho Lost Himself," to be made in
gland with Leslie Howard as star
co-producer-director; Jean Her-
lt in three "Dr. Christian" pic-
es based on his radio characteriza-
n, to be produced by Stephens-Lang
od.; "Reno," starring Richard Dix;
he Day the Bookies Wept," starring
Penner; "The Flying Deuces,"
rring Stan Laurel and Oliver Har-
Boris Morros, producer, and Ed-
rd Sutherland, director; "Full Con-
sion," starring Victor McLaglen
h Sally Eilers, and "Anne of Windy
plars," starring Anne Shirley in the
M. Montgomery favorite.

### Towne-Baker Schedule

Also, "African Intrigue," an adven-
e story by Alfred Batson, and
om Brown's School Days," with
ne Towne and Graham Baker as
ducer and writer. This team will
produce "The Deerslayer," the
nes Fenimore Cooper classic, and
wiss Family Robinson," from the
ular Johann David Wyss story.
'The Saint" series, with George
nders in the title role of the Leslie
arteris detective stories, will be

(*Continued on page 11*)

## *Disney's 'Pinocchio' Set for Yule Release*

**Contract by which RKO Radio will distribute "Pinocchio," Walt Disney's second feature length cartoon, throughout the world were signed yesterday by George J. Schaefer, RKO president, and Roy Disney.**

**Picture, which has been in the making for the past two years, is scheduled to be completed simultaneously with the opening of the new Disney Hollywood studio and is scheduled to be released around the Christmas holidays.**

# *When Salesmen Get Together*

**Here you see four RKO chieftains enjoying a bit of repartee with their "best customer," on the lawn of the Westchester Country Club, during the company convention. The "best customer" is W. G. Van Schmus (center), managing director, Radio City Music Hall. They are Cresson Smith, Jules Levy, Ned Depinet, George Schaefer.**

**Two visitors from the Coast at the RKO convention are Charles Leonard (left) and Howard Benedict (right).**

**S. Barret McCormick, advertising and publicity director of RKO, and Ned Depinet, distribution chief, discuss advertising plans.**

**In front of W. G. Van Schmus and Gunther Lessing, counsel for the Disney interest, Roy Disney and George J. Schaefer with a strong handclasp seal the Disney-RKO deal on "Pinocchio."**

# 'Angels' Tops Heat in Phila. With $15,000

PHILADELPHIA, June 19.—Breaking the heat barrier, "Only Angels Have Wings" soared to $15,000 at the Stanley.

"Young Mr. Lincoln" at the Fox, Johnny Davis the stage headliner, reached a fair $16,500.

Estimated takings for the week ending June 15:

**"Lucky Night" (M-G-M)**
ARCADIA—(600) (25c-40c-57c) 3 days, 2nd run. Gross: $1,000. (Average, 7 days, $2,800)
**"Juarez" (W. B.)**
BOYD—(2,400) (32c-42c-57c) 7 days, 3rd week. Gross: $9,000. Average, $14,000)
**"Undercover Doctor" (Para.)**
EARLE—(2,000) (26c-32c-42c) 7 days. Gross: $5,300. (Average, $8,000)
**"Young Mr. Lincoln" (20th-Fox)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days. (Stage show, 6 days). Stage: Johnny "Scat" Davis and band. Gross: $16,500. (Average, $16,000).
**"Stolen Life" (Para.)**
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $2,800. (Average, $4,000)
**"Wuthering Heights" (U. A.)**
PALACE—(1,000) (26c-42c) 7 days, 3rd run. Gross: $3,800. (Average, $4,500)
**"Only Angels Have Wings" (Col.)**
STANLEY—(3,700) (32c-42c-57c) 7 days. Gross: $15,000. (Average, $14,000)
**"Rose of Washington Square" (20th-Fox)**
STANTON—(1,700) (26c-32c-42c) 7 days, 2nd run. Gross: $6,500. (Average, $7,000)

## *'Angels' at $8,800 As Montreal Slips*

MONTREAL, June 19.—"Only Angels Have Wings" had the highest gross, $8,000 at the Palace.

Estimated takings for the week ending June 16:

**"It's a Wonderful World" (M-G-M)**
**"Tell No Tales" (M-G-M)**
CAPITOL — (2,547) (25c-40c-55c-65c). Gross: $6,500. (Average, $8,000).
**"Confessions of a Nazi Spy" (W. B.)**
LOEW'S—(2,800) (30c-40c-60c) 2nd week. Gross: $5,300. (Average, $8,000)
**"Dark Rapture" (Univ.)**
**"My Wife's Relatives" (Rep.)**
ORPHEUM—(919) (25c-35c-50c). Gross: $2,800. (Average, $5,000)
**"Only Angels Have Wings" (Col.)**
PALACE—(2,600) (25c-40c-55c-65c). Gross: $8,800. (Average, $11,000)
**"Sergeant Madden" (M-G-M)**
**"Some Like It Hot" (Para.)**
PRINCESS — (2,272) (25c-35c-50c-65c). Gross: $3,000. (Average, $6,500)

## *Court Orders RCA Stock Suits Merged*

Order consolidating all stockholders' suits against RCA in the N. Y. Supreme Court and appointing Abraham L. Pomerantz general counsel for stockholders was affirmed yesterday by the Appellate Division of the N. Y. Supreme Court. The court, however, struck out a provision of the order which directed stockholders to employ Max D. Steuer as their trial counsel. The suit, brought against RCA, its officers and directors, American Telephone & Telegraph Co., Westinghouse Electric & Manufacturing Co. and General Electric Co., includes in its complaint a charge that $80,000,000 of preferred stock was issued for $17,000,000.

## *Judell Closes Branch*

INDIANAPOLIS, June 19.—B. N. Judell, Inc., has closed its exchange here. Big Features Rights will execute its contracts and distribute new Judell product in this territory.

# *Theatre, Personnel Notes*

### Sell Indiana House

ENGLISH, Ind., June 19.—The English here has been sold by Dr. G. B. and Dr. F. G. Hammond, brothers, who built it and operated it 17 years, to the Luckett Amusement Co.

### Install Cooling Plants

NEW HAVEN, June 19.—Air conditioning jobs in the territory this summer include the West End, Rivoli and Colonial, Bridgeport, and Middlesex, Middletown.

### Joins Universal Staff

CLEVELAND, June 19.—Dave Miller, Universal district manager, has assigned Peter Rosian, special sales representative to the Pittsburgh territory.

### Columbus House to Use Duals

COLUMBUS, O., June 19.—Loew's Broad, first run, has inaugurated a double feature policy. The RKO Palace and Grand went to double features two weeks ago. This leaves Loew's Ohio as the only first run here with singles.

### Drop Boston Vaudeville

BOSTON, June 19.—RKO Keith Boston has discontinued vaudeville. The house had been presenting stage shows four days weekly on Thursday, Friday, Saturday and Sunday.

### Manages S. C. Theatre

COLUMBIA, S. C., June 19.—Wallace Martin, assistant manager of the Palmetto, has been appointed manager of the new 700-seat Five Points at Five Points, to be opened shortly. Bradley Reese, assistant manager of the Ritz, has been named to succeed Martin at the Palmetto, and John Fitzgerald, Jr. will become assistant manager of the Ritz.

### RKO Moves Henninger

SEATTLE, June 19.—Floyd Henninger, formerly with RKO in Los Angeles, has arrived here to become head booker at the local RKO exchange. He succeeds Louis Goldsmith, who will represent the same company in eastern Washington.

### Kosco Quits Columbia

PITTSBURGH, June 19.—Charles Kosco, Columbia salesman in West Virginia for seven years, has resigned to become booker for the Anderson and Urling Circuit, operating 30 theatres in the Tri-State area, with headquarters in Kingwood, W. Va. George Wheeler, formerly with Grand National, succeeds Kosco at Columbia.

### Paramount Shifts Bahner

DES MOINES, June 19.—H. T. (Jerry) Bahner, ad sales manager at the Paramount exchange, has been transferred to the Paramount office in Minneapolis and Con Curtis, his assistant, has taken his place at the local exchange.

### Schine Acquires Interest

BOWLING GREEN, O., June 19.—The Schine circuit has become partner with Clark M. Young in the operation of the Cla-Zell Theatre. Schine will buy and book for the house.

### Manages Danz Theatre

SEATTLE, June 19.—Murray Peck, former vaudeville and night club entertainer and master-of-ceremonies, has been appointed manager of John Danz's Colonial here.

### Form Theatre Company

FRANKFORT, Ky., June 19.—M. Switow & Sons Enterprises, Inc., Louisville, capitalized at $250,000, has been chartered here. The concern is a consolidation of M. Switow & Sons Enterprises and Lafayette Amusement Co.

### Providence Albee Dark

PROVIDENCE, June 19.—RKO-Albee here is dark again and probably will remain so until late August, when it resumes film programs. Leased by Jules Leventhal, New York producer, for stage plays, he abruptly cancelled his plans when the local censor banned two plays.

### Take Over Old Ohio House

IRONTON, O., June 19.—The South Side, 350-seat house, oldest theatre here, operated but a few times since the 1937 flood in which it was considerably damaged, has been taken over by the Hunter Theatre Co., Huntington, W. V. It will be renovated and reopened as the Roxy.

### Burkhardt to Boston

Howard Burkhardt, manager of Loew's Capitol, Washington, has been transferred to manager of Loew's Orpheum, Boston, replacing George Jones, resigned. Gene Ford, formerly with the production department, replaces Burkhardt in Washington.

### Fay's Closed for Summer

PROVIDENCE, June 19.—Fay's Theatre has closed for the summer, as usual. Painting and repairing will be done during the summer, the house reopening the last week of August.

## *Oklahoma City Wins Ross Federal Drive*

Oklahoma City won first place in Ross Federal's ninth anniversary President's Month testimonial drive, honoring Harry A. Ross, president. Milt Gore is branch manager. New Orleans finished second and Washington third.

The company has started a contest among employes seeking a trademark, with cash prizes offered.

## *Ohio Rejects 6 Reels*

COLUMBUS, O., June 19.—Six reels were rejected by the Ohio censors for the week ending June 16, during which 114 reels were reviewed and six eliminations ordered.

## *Seven New Pictures Get Legion Approval*

National Legion of Decency for the current week approved seven of eight new pictures, four for general patronage and three for adults, and classed one as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Adventures of the Masked Phantom," "Bulldog Drummond's Bride," "Inside Information," "Susannah of the Mounties." Class A-2, Unobjectionable for Adults—"The Girl and the Gambler," "Should a Girl Marry," "SOS Tidal Wave." Class B, Objectionable in Part—"Daughters Courageous."

# 'Juarez' Hits Fine $20,500 In Pittsburgh

PITTSBURGH, June 19. — "Juarez" paced the field with a strong $20,50 at Loew's Penn. Runnerup was "Th Mikado" with $5,800 at the Fulton followed by the Alvin's $6,00 [illegible] "Young Mr. Lincoln."

Estimated takings for the week ending June 15:

**"Young Mr. Lincoln" (20th-Fox)**
ALVIN—(1,900) (25c-35c-50c) 7 days Gross: $6,000. (Average, $7,000)
**"The Mikado" (Univ.)**
FULTON—(1,700) (25c-40c) 7 days Gross: $5,800. (Average, $5,000)
**"Juarez" (W. B.)**
LOEW'S PENN—(3,600) (25c-35c-50c) days. Gross: $20,500. (Average, $15,000)
**"The Kid From Kokomo" (W. B.)**
STANLEY—(3,600) (25c-40c-60c) 7 days Stage: Marion Talley, Slate Bros., othe acts. Gross: $11,000. (Average, $17,000)
**"I'm From Missouri" (Para.)**
**"You Can't Get Away With Murder" (W. B).**
WARNER—(2,000) (25c-40c) 7 days Gross: $3,500. (Average, $4,500)

## *$6,800 to 'Lincoln' Indianapolis Best*

INDIANAPOLIS, June 19.—"Young Mr. Lincoln" and "The Gorilla" gave the Circle $6,800 in a week that brought extremes of hot and col weather. Competing was one-day stand of Ringling Bros.-Barnum & Bailey circus.

Estimated takings for the week ending June 16:

**"Juarez" (W. B.)**
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,400. (Average, $2,500)
**"Young Mr. Lincoln" (20th-Fox)**
**"The Gorilla" (20th-Fox)**
CIRCLE — (2,800) (25c-40c) 7 days Gross: $6,800. (Average, $5,500)
**"Calling Dr. Kilkare" (M-G-M)**
**"Streets of New York" (Mono.)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6,500. (Average, $7,000)
**"Charlie Chan in Reno" (20th-Fox)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: June Jubilesta, with A. Robins, Ward & Milford, Four O'Connors, 12 World's Fair Girls. Gross: $7,000. (Average, $8,000)

## *Miss Tucker Defends AFA Against Attack*

Answering charges that the American Federation of Actors had failed to organize night club, vaudeville and chorus performers, Sophie Tucker, president, yesterday, declared that the "A.F.A. has organized 12,873 performers, of 8,850 are in good standing, since it started in March, 1934. In addition to those the A.F.A. has 3,200 in its circus and carnival employes division."

In New York, the A.F.A. has 135 night club, hotel and World's Fair shows operating under contracts. The San Francisco Fair is 100 per cent A.F.A. and 16 shows in the New York Fair are signed, according to Miss Tucker.

Membership increased by 900 since May 1, and 1,700 have been organized in the chorus section in the 14 months of its existence, Miss Tucker stated. Salary claims totalling $10,000 have been collected in the past fiscal year.

## *'Waltzes' Openings Set*

Oscar Strauss musical "Three Waltzes," starring Yvonne Printemps, will open at the Fine Arts in Boston tomorrow and at the Esquire in Hollywood Friday. Vedis Films owns the American distribution rights.

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**PROPERTIES** like Hunchback of Notre Dame — The Am
Swiss Family Robinson — Allegheny Frontier — Ivanho
Days — Kitchener — The Ramparts We Watch — and ma

# SIX W
# AND THE SCRE

Walt Disney Productions — March of Time
Information Please — Reelisms — Sportscop
Comedies . . . and addi

***THEY'RE ALL IN THE BIG B***

# TURES

rd, Gene Towne, Sol Lesser, Harold Lloyd and many

Carey, George Stevens, Herbert Wilcox . . . DIRECTORS

son Kanin and many more . . . STARS like Carole

rbanks, Jr., Laurel and Hardy, Charles Laughton, Victor

yne, Anne Shirley, and others to be announced . . .

Way — Abe Lincoln in Illinois — Nurse Edith Cavell —

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# Hollywood Previews

## Good Girls Go to Paris"

*umbia)*

Hollywood, June 19.—"Good Girls Go to Paris" is a comedy riot. arkling with clever dialogue and alive with engaging situations and aracterizations which Melvyn Douglas, Joan Blondell, Walter Conlly, Alan Curtis, Joan Perry, Isabel Jeans, Stanley Brown, Alexander Arcy, Henry Hunter, Clarence Kolb and Howard Hickman put across nd style, it is the kind of amusing entertainment that is synonyous with big box-office.

Novel yet natural, the piece generates its fun immediately and, as it oceeds speedily, permits no let downs or dull moments. Much of the edit for the picture's entertainment merit goes to Douglas, Connolly Miss Blondell for their capable performances. Alexander Hall's recting technique, never better than when he is handling light comedy aterial, is always expert and the manner in which screenplay writers adys Lehman and Ken Englund endowed the lively Lenore Coffeeilliam Joyce Cowen original with peppy lines and surprising circumances is commendable.

College waitress Joan Blondell's preliminary excursions into the art golddigging and amateur blackmailing result disastrously but win her e friendship of Professor Douglas. The scene shifts to New York and a strange quirk of fate Miss Blondell lands in Connolly's house. here, meanwhile effecting Connolly's mental and physical regeneration, e demonstrates that Curtis is not a thoroughly bad boy, that daughter iss Jeans is a chiseler and, after showing up younger daughter Miss erry as a two-timer not worthy of Douglas, she winds up by marrying ouglas and getting that trip to Paris to which all bad-good little merican girls aspire.

Running time, 70 minutes. "G."* G. McC.

## Susannah of the Mounties"

*entieth Century-Fox)*

Hollywood, June 19.—Shirley Temple, four-time No. 1 star of the ternational box-office, returns in this picture to the simple, childish cupations in which she established her unprecedented championship. is a story about the brave Northwest Mounted and the Indians who dn't take too kindly to the brave white man's iron horse as it plodded estward across Canada. It contains a deal of fighting, an attack on a rt, some not too gorey killing and quite a lot of pleasant humor in nich Miss Temple learns about Indians from Martin Good Rider, a ung chief slightly her senior. These are the most entertaining passges.

Randolph Scott, who finds Miss Temple the sole survivor of a wagon ain massacre and brings her into the fort, is the adult hero of the ory, Margaret Lockwood, the girl of the incidental romance. J. Farrell acDonald plays the orderly who becomes Miss Temple's immediate endant and Victor Jory impersonates the bad Injun who stirs up all e trouble. Melodramatic incidents culminating in the near burning-ate-stake of the hero are treated entirely for juvenile eyes and ears.

Miss Temple plays the lead simply and with her accustomed charm. he instructs Scott in the intricacies of the waltz, but does not, otherse, sing or dance.

William A. Seiter directed for associate producer Kenneth Macgowan. he screenplay by Robert Ellis and Helen Logan is from a story by del La Barba and Walter Ferris which is based, in turn, upon a book Muriel Denison.

Running time, 73 minutes. "G."* Roscoe Williams

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*"G" denotes general classification.

## Musart Picture Set

Michael J. Gann, president of Mus- Productions, will start production the east shortly on "Princess Aza," be made in English, French, Rusn and Spanish. Musart's "Cosks in Exile" opens Saturday at the ctory, Trenton, N. J., after four eks in New York.

## Hold Metro Club Party

New Haven, June 19.—Metro Pep ub held its annual spring dinner rty at Baybrook, with Thomas Donlson, exchange manager and Wilm Marsh, traveling auditor, as ests of honor. George Weber, president, was in charge.

## Release 'Warning' Here

Budd Rogers, American general manager for Alliance Films Corp., has arranged for the distribution of "The Warning," showing English war preparations, in Boston, New Haven, Cincinnati, Cleveland, Indiana, Los Angeles, San Francisco, Seattle, Portland and Washington territories.

## Withdraw Bank Night

Milwaukee, June 19.—Bank Night, at Fox's Palace, first run house, proved a failure and the game has been pulled after six weeks. The circuit is continuing the game at the Varsity, second run six blocks from the Palace.

# Bronx Houses Check Abuses On Admission

(Continued from page 1)

to maintain in the fullest sense the minimum admission provision in our contracts."

It is further stipulated that "this agreement is reached on the understanding that the present policy in giveaways, both in respect to the number of days upon which such giveaways and premiums are indulged in as well as the amount of money involved in toto in such giveaways do not become increased in the future."

The agreement was reached after meetings held by Nizer with representatives of Loew's, RKO and independent theatres.

Theatres assenting to the agreement are: Jackson, Max Suderov; President, Charles Morse; Burland, Loew's; Prospect, Max A. Cohen; Congress, Moe Rosenberg; Empire, RKO: Morningside, Al Suchman; Park West, Harry Karesh; Manhattan, George Reisner; Arden, William Kaster; Rose, Max Suderoff; West End, Max Cohen.

Only a minority of those signing practiced the cut-rate admissions, but all theatres in the neighborhoods involved were brought in to accept the pact.

## Foreign Business Brighter, Says Erpi

Erpi's business prospects in foreign markets are brighter today than at any time in recent years, E. S. Gregg, general foreign manager, said yesterday on the basis of a checkup made during the company's first international sales conference which was held at the home office here last week.

Gregg said that the world total of Western Electric equipment installations is now 12,000 and that a large number of advance orders are on hand. In addition, orders for non-theatrical products such as hearing instruments are increasing rapidly, he said.

Among those who attended the international sales conference were G. S. Appelgate, Australia; William Demello, Brazil; Edwin Cline, Argentina; P. L. Palmerton, European manager; John Riley, chief engineer, London; H. B. Allinsmith, Cuba; F. E. Peters, Canada, G. L. Carrington, vice-president, Altec Service Corp., Gregg and other executives.

## Cooling Off

**Providence, June 19.—Local theatres are taking no chances on poor business this summer because of the heat. Ed Fay has a crew of diggers already down 200 feet sinking an artesian well for a cooling system for the Majestic. Antonio A. Romano has installed systems at the Park and Palace, and Ted Rosenblatt has cooled off the Community at Centredale, R. I.**

## Ban on Wisconsin Bank Night Urged

Oshkosh, Wis., June 19.—Winnebago County Board has voted to petition the state legislature asking that the statutes be revised so that Bank Night will be officially construed a lottery and therefore illegal.

The Paulson bill, introduced in the State Senate in March, which bans the giving of money or merchandise by lot or drawing, is still in committee. If passed, the measure would prohibit Bank Night and similar games.

### No Mansfield, O., Arrests

Mansfield, O., June 19.—Although police were prepared to carry out their threat to arrest the manager of Warner's Madison when making the first award in Bank Night, inaugurated recently, no action was taken at the drawing late last week because the winner had not purchased a ticket.

"Participation without payment of admission does not constitute violation of the Ohio lottery law," declared Police Chief Meade K. Bates. "However, when the winner has paid money for a ticket we propose to make arrests," he added.

## Theatres Add Television

Midwood and Patio, operated by Century Circuit in Brooklyn, have been added to the list of theatres which have installed television sets as added boxoffice stimulants. At Century's Grove in Freeport a television set will be included in the premiums offered to patrons.

## Visit RKO Lounge

Visitors at the RKO exhibitors' lounge yesterday included David Rabinowitz of the Lincoln, Gainesville, Fla.; Fred Gregor, New Waterford, Nova Scotia, and M. L. A. Bernero and Mrs. Bernero of the Ansell Brothers Circuit, St. Louis.

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# *Nizer Analyzes Trade Practice Code*

Louis Nizer, counsel for the New York Film Board of Trade, yesterday analyzed the highlights of the Trade Practice Code in an exclusive interview he gave yesterday.

Nizer declined to comment on the acceptance or rejection of the code by any exhibitor groups. "The question of adopting the code is partly in the political realm and I do not wish to participate in that discussion," he said. "Before anyone can pass judgment on the Code, however, he must know what is in it."

Nizer then analyzed some of the most important provisions in non-legal terms.

First he explained the cancellation clause which is called the "exclusion privilege" in the Code. It grants a cancellation right which ranges from 10 per cent to 20 per cent of the features contracted for by the exhibitor. If the average price of the features bought is not more than $100, exhibitor may cancel 20 per cent of these features. If the average price is not more than $250, he may cancel 15 per cent. If the average price is more than $250, he may cancel 10 per cent.

### Cancellation Without Payment

The cancellation may be made without any payment of any kind. The chief condition imposed on the right to cancel is that the exhibitor be not in a material default under the contract at the time he exercises his rights.

Nizer continued:

"Concerning preferred playing time, the Code takes away the right of the distributor to designate such time for any feature which is bought on either a flat rental or a percentage with a fixed minimum guarantee. In other words, under the Code, the distributor can designate preferred playing time only for those pictures which are bought on a straight percentage basis.

"There is another provision in the Code, designed to meet the objection of certain exhibitors to 'exclusive selling.' This clause tries to assure to every exhibitor the ability to obtain at least some run for his theatre.

### Fair Competition Approved

The Code provides that an exhibitor's policy shall not be considered destructive or such as will reduce the revenue if it is established under methods of competition normal and fair in such a situation. The questions as to whether an exhibitor's theatre is of an obsolete character, is in good condition, and whether the exhibitor is of a good reputation or financial responsibility, are all subject to arbitration. The question as to whether the exhibitor and distributor can agree upon terms of the contract is not subject to arbitration.

"Score charges are eliminated for the 1939-1940 season.

"Short subject, newsreels, foreign pictures or reissues may not be imposed upon an exhibitor as a condition for his obtaining features. If the exhibitor claims a violation of this clause he may submit the matter to arbitration. The arbitrators may cancel the contract for shorts in such a case. To assert such a claim the exhibitor must give notice to the distributor within 48 hours after delivery by exhibitor of a signed application for the short subjects.

"In selective contracts the exhibitor must give written notice of acceptance or rejection within 21 days after the mailing of the notice of availability. If he doesn't, he is deemed to have accepted the picture.

"No distributor may coerce an exhibitor into entering into a contract by threatening to build or aquire a theatre in competition with it. If the exhibitor claims the contract was obtained under such a threat, he may submit the matter to arbitration. The arbitrators have the power to cancel the contract made. To have such an arbitration right the exhibitor must make his claim in writing within 48 hours after delivery of the contract to him.

### No Way to Evade Clauses

"Every clause of the Code makes it possible to submit certain questions to arbitration in order that the purpose of the clause may not be evaded in practice. The Code also submits breaches of contract to arbitration and the question as to whether clearance is reasonable.

"The Code recognizes that reasonable clearance is essential in the distribution and exhibition of pictures, and that any exhibitor has the right without restriction, to buy a certain run which he is able to negotiate with the distributor. However, any dispute as to whether the existing clearance in any particular instance is unreasonable, is subject to arbitration. The Code also submits to arbitration the question of overbuying.

"The term of the Code is two exhibition seasons beginning 1939-1940. Each season begins September 1 and ends August 31. Thereafter the term runs on indefinitely. Anyone may withdraw from the Code at the end of the second exhibition season or at the end of any subsequent season.

### Neutral Arbitrators Provided

"Annexed to the Trade Practice Code are the rules of arbitration. They provide for a panel of neutral arbitrators in each exchange territory. These neutral arbitrators may be paid for their services and may have a knowledge of the industry but they must not be associated with either distributor or exhibitor interests.

"The distributors and affiliated exhibitors then appoint a panel of ten arbitrators. The organized exhibitor groups similarly appoint a panel of ten arbitrators. The permanent arbitration board is composed of one neutral arbitrator and one arbitrator each from the two panels, thus selected.

"There are also special arbitration boards. In case of disputes involving clearance, the complaining exhibitor designates an arbitrator. The exhibitor complained against designates an arbitrator and the distributors designate an arbitrator. The three arbitrators so selected must by unanimous consent designate two arbitrators who may be neutral arbitrators."

She wants to forget her home prairie
with romance that's devil-may-carey...
She wants to wear sables—
not wait on six tables—
or fondle a cow in a dairy!
Good Girls Go To Paris
A COLUMBIA PICTURE
OPENING RADIO CITY MUSIC HALL

# Little Chance
# For Film Bill
# Up in Illinoi

SPRINGFIELD, ILL., June 19.—W
only two weeks remaining of the c
rent session of the Illinois legislat
little chance is seen for enactment
any of the bills bearing on the fil
dustry in Illinois.

Two bills have been approved by
House, another is pending in the sa
chamber and three others are pend
in the Senate.

One of those passed by the Ho
prohibits compulsory blind selling
block booking.

The second would make it unlaw
for an exhibitor to show one or m
films for a longer period than t
consecutive hours, unless there is
15-minute intermission at the beg
ning of each hour in excess of two

The measure pending on third re
ing in the House would prohibit
showing of a picture in which
pears any person divorced two
more times. The sponsor of this
plans to amend it to exempt th
who have received divorces up to
time of the enactment of the leg
lation.

The three bills pending on th
reading in the Senate would make
unlawful for any exhibitor to per
a child under 14 to enter his thea
after 9 p.m., or to permit any ch
to remain after 10 p.m.; theatre
vorcement and the creation of a st
film censor board.

## *TMAT Names Four To Governor Boar*

In accordance with new provisio
of the Theatrical Managers, Age
and Treasurers Union constitution,
second vice-president and four me
bers of the board of governors ha
been elected. Charles Carroll w
named vice-president and a member
the board. Other members are W
liam S. Scott, Joseph Silverman a
Charles Shollod.

## *Defer Chicago Hearin*

CHICAGO, June 19.—A heari
scheduled for today in the local ind
pendent exhibitors' anti-trust acti
against B. & K. and major distrib
tors was postponed until June 29.

## *2-Year Ticket Tax Is Voted by House*

**Washington, June 19.—Continuance of the admission tax for another two years was voted today by the House of Representatives when, before passing the new revenue measure, it defeated, 57 to 83, a motion by Congressman Harter of Ohio to limit the extension to one year.**

**There was little debate on the proposed amendment. Representative Knutson of Minnesota led the opposition and pointed out that the condition of the Treasury was such that more assurance of continued income should be given than would be comprised in a one-year extension.**

# 2 Features On RKO List Next Season

(Continued from page 3)

tinued. Pictures will be "The t's Vacation" and "The Saint board." Others include "Father n," with Robert Sisk producing a biography by John Farrow, will direct. Screenplay is by n Twist. Bobby Breen in two Sol ser productions; "Marines in the " starring Richard Dix; Douglas rbanks, Jr., in an as yet undeter- ed number; "Village Scandal," ring Edward Ellis, with Barbara ad; "Three Sons," also starring s and featuring the finalists in O's "Gateway to Hollywood" tal- search.

### Kibbee in Kelland Stories

lso, "Cross Country Romance," Lucille Ball and James Ellison, Reid, producer; "Child of Di- ce," with Anne Shirley; "Distant lds," with Barbara Read and John her; "Men Against the Sky," k No Returns," "Silver City," ed for Libel," "Little Orvie," "Sun- " starring Tim Holt; Guy Kibbee three to be based on Clarence Bud- ton Kelland's "Scattergood Baines," "The Ramparts We Watch," a ture to be made by March of Time sold separately.

Also, one to be produced and di- ted by Gregory LaCava, and two be produced and directed by Leo Carey, one of which will be written Maxwell Anderson. Two will be de in England by Herbert Wilcox, based on the life of Lord Kitch- r, the other the story of Marie yd, British music hall favorite of a ade ago. Also, a second as yet itled picture from Leslie Howard be made in England.

### Six O'Brien Westerns

The six new season westerns will ture George O'Brien.

The short subject line-up includes 18 alt Disney one-reel cartoons; 13 one- "Reelisms"; 13 "Sportscopes" of reel each; 13 "Information Please" -reelers; six two-reelers starring gar Kennedy; six two-reelers star- g Leon Errol; four Ray Whitley sical westerns of two reels each eight of the Radio Flash two- lers. In addition, there will be the al bi-weekly issues of the RKO the News and 13 issues of March of me. RKO Pathe also will make ive Times Five," a two-reeler with Dionne Quintuplets.

Schaefer welcomed the company's convention delegates in his first dress to the international sales ces.

### Voices Thanks for Loyalty

He thanked the men for their loy- y during his six months in office predicted that the organization uld move forward rapidly during coming year. The men of the es organization, he said, had been trumental in laying the cornerstone new policies and a new day for KO Radio.

Schaefer's main address will be giv- at today's meeting.

Other speakers included Depinet, o introduced Schaefer and described remaining pictures on the com- ny's current season schedule; Levy, o announced promotions in the sales ganization and rewarded the company's "100 per cent" salesmen; and Phil Reisman, foreign department head, who thanked home office executives on behalf of the foreign delegates and welcomed the latter to the convention.

Levy reported that the United States and Canadian branches had sold 87 per cent of their possibilities during the current season for an increase over the preceding one. There also had been an increase in sales in dollars over previous years, he reported. He told the meeting that while final figures on the recent George Schaefer sales drive are not yet available, shipments during the period of the drive were greater than for any previous similar period in the company's history.

### Star Salesmen Rewarded

The four salesmen who received cash prizes and gold buttons for having sold 100 per cent of their sales possibilities during the 1938-'39 season are Jack Ellis, New York; F. G. Ross, Boston; W. Canelli, New Ha,-ven, and Harry Kahn, Washington.

Among the promotions reported by Levy, all from within the organization, were those of H. M. Lyons, from Atlanta branch manager to southeastern district manager; S. M. Sachs, from Dallas manager to southwestern district manager; J. B. Brecheen, from office manager at Dallas to Atlanta branch manager; N. J. Colquhoun, Memphis salesman to Charlotte branch manager; C. J. Dressell, Minneapolis salesman to Omaha branch manager; H. F. Taylor, Toronto salesman to Calgary branch manager, and R. V. Nolan, Chicago salesman to St. Louis branch manager.

There were 12 additional minor promotions and appointments of 24 new salesmen.

### Executives on Dais

On the dais at the opening session were Schaefer, Depinet, Levy, Reisman, William Mallard, general counsel; John J. O'Conner, vice-president and general manager of RKO Theatres; S. Barret McCormick, advertising and publicity director; Howard S. Benedict, studio publicity director; Fred Ullman, Pathe News vice-president; Cresson E. Smith, western division manager; E. L. McEvoy, eastern division manager, and Harry Michalson, short subjects manager.

Others attending included Roy Disney, Hal Horne, Malcolm Kingsberg, W. H. Clark, W. V. Derham, W. J. McShea, W. J. Merrill, George Muchnic, M. G. Poller, A. A. Schubart, Ben Y. Cammack, John Farmer and H. M. Richey.

# BANNER LINES

## By JACK BANNER

**TRIAL AND TRIBULATION** . . . Network representatives almost found themselves left off the Yankee Clipper when the ship took off for Europe the other day. Seems that CBS and NBC spent some $4,000 each for special, light-weight short-wave transmitters for the flight. Practically at the last minute they were informed that the transmitters weighed too much, and took up too much space. Both networks hastily got together and made a composite of the two transmitters and formulated working agreements for sharing it on the air. Meanwhile Mutual belatedly tried to get a man aboard the ship, but CBS and NBC were reluctant to allow the use of their transmitter by a third network. Mutual finally affected a tie-up with the Chicago *Tribune's* aviation editor, Wayne Thomis, who doubled for the newspaper and network. However, CBS and NBC were able to broadcast enroute, while Mutual listeners received their first account of the flight after the plane landed at Lisbon, Portugal.

▼

**TELEVISION TRAILER** . . . First television equipped private-owned trailer made its initial appearance yesterday in the Plaza of Radio City. The house on wheels cost about $17,500 to build, and is the property of Myron C. Zobel, advertising executive. It was inspected by Alfred H. Morton and Clay Morgan, NBC executives.

▼

**PERSONALS** . . . Bobby Hackett's band has given up the ghost. . . . Shirley Sudley, WBBM singer, is vacationing here. . . . Raymond Massey flying to Chicago Saturday to portray Lincoln on the "Knickerbocker Playhouse" Sunday. . . . Renee Carroll, titian-hair hat snatcher at Sardi's, will tell all about her trade on "We, the People" tonight. . . . A book on radio production methods by John S. Carlile, CBS production head, will be off the presses tomorrow.

▼

**PROMOTION AT NBC** . . . Ed R. Hitz, NBC salesman, has just earned a promotion as assistant to Roy Witmer, vice-president in charge of sales. Hitz will also be co-ordinator of all general sales operations on matters of policy, rates, and acceptability of accounts.

▼

**CALL FROM LISBON** . . . A "ham" operator in Brooklyn, F. Lopes, was fiddling with his apparatus Sunday evening and pulled in CSW7, Lisbon, Portugal, whose operator, Clyde Houldson, urged anyone in New York hearing him to call Wickersham 2-2000 and report that fact. Lopes called full of excitement to report his air catch. CBS—that's their number—was excited, too, because Houldson is the network's short-wave engineer on the Yankee Clipper. Subsequently it developed that no emergency was connected with the call—Houldson had a few idle moments, and not knowing what to do with them, he placed his calls on the air.

▼

**DINNER FOLLOWING PREMIERE** . . . NBC last evening tendered a dinner to executives of Liggett & Myers and the Newell-Emmett agency following the premiere of the Fred Waring series for Chesterfield. Attending were N. S. McEvoy, C. D. Newell, C. S. Walsh, Don B. Langan and Karl Keffer of the Newell-Emmett agency; B. F. Few, W. D. Carmichael, Ben Carroll and C. W. Whitaker of Liggett & Myers, and from NBC, Lenox Lohr, Niles Trammell, Roy C. Witmer, John Royal, Frank Mason, I. E. Showerman and Ken Dyke.

# RKO Reveals Star-Director Producer List

Stars on RKO's new season roster, announced yesterday at the Rye convention, include Ginger Rogers, Charles Laughton, Leslie Howard, Carole Lombard, Cary Grant, Stan Laurel, Oliver Hardy, Jean Hersholt, Anna Neagle, Douglas Fairbanks, Jr., Bob Burns, Raymond Massey, George Sanders, Anne Shirley, Victor McLaglen, Richard Dix, Guy Kibbee, John Wayne, George O'Brien, Bobby Breen, Lee Tracy, Claire Trevor and Joe Penner.

Featured players include Lucille Ball, Edward Ellis, Sally Eilers, James Ellison, Chester Morris, Allan Lane, Tim Holt, Barbara Read, John Archer, Alice Eden, Wendy Barrie and Ray Whitley. Casts will also include numerous new faces as well as such established favorites as May Robson, Edna May Oliver, Zasu Pitts, H. B. Warner, Joseph Calleia, Sir Cedric Hardwicke and others.

### Berman Heads Producers

Producing responsibility will be in the hands of Pandro S. Berman, vice-president in charge of production, and leading producer-directors as well as those of veteran producer executives. The producer-directors include Gregory LaCava, Leo McCarey, George Stevens, Herbert Wilcox and Leslie Howard. Producers include Gene Towne, Max Gordon and Harry Goetz, Harold Lloyd, Sol Lesser, Boris Morros, Robert Sisk, Cliff Reid, George Haight, Lee Marcus, William Sistrom and Bert Gilroy. P. J. Wolfson is a producer-writer-director. Shephens-Lang will produce the "Dr. Christian" series.

### Directors Listed

Directors are William Dieterle, Garson Kanin, William Seiter, John Farrow, John Cromwell, Edward Sutherland, George Nichols, Jr., Leslie Goodwins, David Howard, Leigh Jason, Lew Landers, D. Ross Lederman, Jack Hively and Bert Granet.

Writers and authors include Robert E. Sherwood, George S. Kaufman and Moss Hart, Dr. A. J. Cronin, Maxwell Anderson, Gene Towne and Grahame Baker, James Fenimore Cooper, Victor Hugo, Sir Walter Scott, L. M. Montgomery, Clarence Buddington Kelland, Booth Tarkington, Leslie Charteris, Rita Weiman, Morrie Ryskind and Norman Krasna.

## *Strike at Jewel*

Strike by the Theatrical Managers, Agents and Treasurers Union at the Jewel, Brooklyn, is scheduled to start at 12:30 P. M. today. Refusal to recognize the union and the discharge of Joseph Kliegel, former manager, on April 24, and Sam Shultz, assistant manager, yesterday for alleged union activities are given as causes of the strike.

## *Meridian Dissolution*

Confirmation of a recommendation for dissolution of Meridian Pictures Corp. by Referee Edward J. McDonough will be sought today from Supreme Court Justice Hammer by officers of that company today. Dissolution is sought because Meridian, listing thirty creditors with liabilities of $56,768 and assets of $119, is hopelessly insolvent.

# AFM to Study Music Angles Of Television

KANSAS CITY, June 19.—American Federation of Musicians, in its convention here last week, authorized President Joseph N. Weber to investigate the operation and methods of television to determine ways and means of protecting musicians in connection with recordings for television.

The trade agreement concluded between the A.F.M. and the I.A.T.S.E. was described as primarily a theatrical agreement intended to protect mutual interests of the two organizations, and to apply only to theatres and actual show business.

### More Musicians in Theatres

The matter of negotiations with film producers to bring about an increase in the employment of musicians in the theatres of the country was finally referred to the executive board, where it had been before the meeting. Negotiations remain in the air, Weber reported to the 700 delegates present.

The executive board was empowered to study the feasibility of the federation going into the recording business, and to appropriate the necessary funds if entrance into the business is deemed advisable.

The executive board also was instructed to negotiate with Ascap to reduce its fees assessed on employers for the use of copyrighted music. The meeting held that the high fees were resulting in the loss of employment by musicians.

### Fears Jurisdictional Fight

Weber opposed the resolution calling on the A.F.L. to grant to A.F.M. jurisdiction over operation of record playing machines in radio stations. Weber said it would lead to a jurisdictional fight.

Also referred to the executive board were two resolutions dealing with the assignment of performing rights on recordings to the A.F.M. by federation members.

The meeting "morally condemned" the Saenger circuit for continuing its policy of non-unionism.

## *Rodgers Due Today*

William F. Rodgers, M-G-M general sales manager and chairman of the distributors' trade practice negotiating committee, arrives today from Chicago.

## *Schenck Instigated Peace, Court Told*

**Hollywood, June 19.—It was at the instigation of Joseph M. Schenck that District Attorney Buron Fitts tried to settle the dispute between the I.A.T.S.E. and Local 37 leaders, Joseph W. Carpenter, deposed president of the local studio unit, testified today in the controversy now before the superior court involving these parties.**

**The peace move failed, Carpenter told the court, when he and other officers refused to relinquish their posts and stand for a new election.**

# RKO Sidelights at the Convention

Photographers were about to shoot the official convention pictures at the Westchester Country Club yesterday when Ned Depinet rushed up with a determined hold on W. G. Van Schmus, managing director of the Music Hall.

"Make way for our best customer," Depinet called out and George Schaefer and Jules Levy moved apart to make a place for the newcomers in the center of the group.

Jack Pegler of Lord & Thomas is attending his ninth RKO national sales convention. No national meeting was held by the company last year. Pegler couldn't find a seat in the convention hall yesterday but was discovered in an advantageous position behind a screen.

Frank Ross, Boston's one-hundred percenter, closed for features in 123 situations in his territory, which is some kind of record.

Irving Shiffrin shot the only ace on Sunday—a 10-yard putt on the practice green.

It was the twelfth straight convention attended by Rutgers Neilson and like the Marines he's always the first in and the last out.

Leon Bamberger and Lou Gaudreau can take some bows for their colorful decoration scheme at the convention hall.

Stan Jacques was sporting a new moustache of the hairline variety.

Canadian District Manager L. M. Devaney thanks the King and Queen for the trailer work they did toward selling "Victoria the Great."

Mike Hoffay, foreign publicity director, was inquiring for a typewriter with Polish lettering.

John O'Conner and Fred Meyers were looking over the 19th hole as possible location for a new theatre.

Jack Schmitzer tagged a couple of hundred grips for the boys at the Penn Station.

Ely Epstein of Philadelphia received a Father's Day wire from his two children.

C. McGerigle of Boston is a great booster for the American Legion. Says the 1940 Legion convention will go to Boston.

Branch Manager "Ching" Allen of Dallas is a dead ringer for Paul Runyan. He's a friend of Paul's and "Ching" can shoot in the 70's.

Two lions and three wolves were around wondering what became of Frank Buck. They were B. D. Lion of the foreign department; Southeastern District Manager H. M. Lyons, Branch Manager H. Woolfe of Winnipeg; Wolff of New York and Wolf of San Francisco.

Ned Depinet and Jules Levy greeted the big delegation at the March of Time cocktail party. And they know 'em each by name.

Two aviation bugs were in many a huddle—Elmer Sedin and G. M. Engelman. Elmer lacks but two hours for a solo license and Engelman has a commercial pilot's license. High flyers, these boys. Sedin a home office representative and Engelman a salesman at Portland.

Howard Benedict, director of RKO studio publicity, stopped off in Baltimore en route east to visit the relatives in his home town.

Ames, Ross and Goldstein of Boston were comparing number of years in the business while waiting at Grand Central and the boys were about even at about 18 each.

Bill Dahler of the home office and J. J. McFadden of Philadelphia hit the waves Sunday afternoon for some "he man" stuff.

## *N. J. Ballots Today On Race Track Bets*

New Jersey votes on legalization of pari-mutuel betting at racetracks today. Exhibitors throughout the state have opposed the move in cooperation with women's clubs, church groups and others.

Mayor Frank Hague of Jersey City and other political leaders favor the amendment, and there has been a strong campaign on both sides.

# Trailers Te London Abo High Taxatio

LONDON, June 19.—An inten lobbying campaign in Commons, use of every theatre screen in country and extensive use of new per advertising will be emplo the British industry in its at the new film taxes, it was decide a joint industry meeting today.

A committee was appointed to tact members of Parliament and other to prepare newspaper app and film trailers. The newsreel sociation is already conducting its campaign for elimination of the ta

Trailer manufacturers have ag to make 4,000 trailer prints imm ately, running approximately 500 each. D. E. Griffiths, president of Kinematograph Renters Society ( tributors), continues to lead the dustry's fight against the taxes.

## *Last Rites Today For Isidor Fr*

(Continued from page 1)

It was then that Frey became kn as "the Judge." He was unmar and for years lived at the Essex Ho

His nearest surviving relatives a nephew, Alexander Frey, mana of Loew's Hollywood on Avenue Manhattan, and two nieces, the Mi Ethel and Ruth Frey, both of N York.

Meet an eyeful from Maple Leaf, Minn.,
who wants very badly to win
any man with the cash
that you need for a dash
to Paris—and then . . . . . . . . . . !

Good Girls Go To Paris
A COLUMBIA PICTURE
OPENING RADIO CITY MUSIC HAL

FILE COPY
DO NOT REMOVE

lert,
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

45. NO. 119 — NEW YORK, WEDNESDAY, JUNE 21, 1939 — TEN CENTS

## KO Raises Production Budget 40%

### *lesmen Hear Schaefer Voice Confidence*

n appreciable increase in produc- budgets planned to give RKO lio a greater number of big pictures t season than ever before was ounced yesterday by George J. aefer, president, in addressing the pany's international sales conven- at Westchester Country Club,

chaefer estimated the increase in duction investment would be 40 per t more than for any preceding sea- in RKO's history.

mphasizing the number of big pic- s completed, in work or planned, RKO president reminded the sales e that courage had been required approve the increased appropria- in the face of unsettled business ditions and contracting foreign kets but that the move was under- n confidently.

Barret McCormick, advertising publicity director, discussed plans campaigns on the company's more ortant product for the new season. L. McEvoy, eastern and Canadian s manager, and Cresson E. Smith,

(*Continued on page 6*)

## *Warners Defy Protests, Decide to Produce Two New Nazi Expose Films*

Hollywood, June 20.—Warners plan to go ahead with the production of two pictures of a politically controversial nature despite the protests which greeted "Confessions of a Nazi Spy," Jack L. Warner, production head, announced today.

The two films are "The Bishop Who Walked With God," by Quentin Reynolds, the story of Bishop Neimoeller, Lutheran minister now in a German concentration camp, and a story depicting secret opponents of the Nazis in modern Germany.

Warner declared, "We produced 'Nazi Spy' because we believed first, that it would supply dramatic entertainment, and second, because we felt it exposed conditions concerning which every American, every free man everywhere should be informed."

"The public now has rendered its verdict both in this country and abroad and we are pleased to report that 'Spy' will be one of most successful pictures Warners has produced this year," Warner said.

"Especially in foreign countries does 'Spy' promise an unusually great success. This reception in foreign countries is interesting to note and indicates that the subject of espionage is of vital interest in all free nations of the world.

"Naturally the success of this revolutionary type of picture, which drew sharp protest from the Nazi Government and Nazi sympathizers in this country has not been pleasing news to certain people and they have been in-

(*Continued on page 5*)

### *Unions Seek Hays' U. S. Theatre Stand*

**Federation of Arts Unions, organization of 14 A.F.L. and C.I.O. unions in the theatrical field, yesterday requested Will Hays, president of the M.P.P.D.A., to state whether the film industry had any interest in the proposed abolition of the WPA Federal Theatre Project. William Feinberg, secretary of the Musicians Union, Local 802, and chairman of the Federation, addressed a telegram to Hays along these lines.**

## Senate Faces Action Today On Neely Bill

### *Hopkins Explains Parley In Letter to Senator*

Washington, June 20. — Block booking legislation is scheduled to be considered by the Senate tomorrow but whether the measure will actually be reached will depend largely upon the prior demands of other legislation on the Senate's time. There is some likelihood that it may not be acted upon for another 10 days or two weeks.

In a letter to Senator Neely, Secretary of Commerce Harry Hopkins asserted that he was greatly "concerned to learn that some groups of exhibitors and organizations interested in the problems of the industry are convinced that these conferences may interfere with the consideration of the Neely Bill by Congress.

The Department of Commerce, he pointed out, has just started its study of the industry and some time will be required to complete it. Accordingly, he said, "Congress, after the long months of consideration it has given to this subject, should not be influenced in its legislative program by the fact that we have so recently undertaken to give special attention to the problems of the motion picture industry."

## *etails of Drama Guild's Agreement Made Public*

Details of the proposed modification of the Dramatists Guild minimum ic agreement were made known yesterday by the Guild Council with outlook being favorable for adoption before the beginning of the new son. The Council met until a late hour last evening and acceptance of amendments was strongly indicated.

he contract is still in draft form h amounts of royalty and duration the contract still unsettled, but se terms are expected to be ad- ted by early conferences. The dification will take the form of a plemental agreement to the pres- basic pact which was signed in rch, 1936, and still has until rch, 1941, to run. A third method acquiring film rights to a legitimate ge production is added to the ex- ng two.

t present, film rights may be ac- red after production by payment of lat sum, or before production by royalty agreement. The third thod provides for purchase before

(*Continued on page 2*)

## *'Rump' Meeting of AFA To Air Fair Strike Issue*

Sentiment among dissenting groups in the American Federation of Actors was growing yesterday for a "rump" meeting at which complaints of members could be aired. The move followed the riotous meeting which wound up at the Hotel Edison at 4:30 A. M. yesterday.

The official meeting, which was called by Sophie Tucker, president, to obtain a vote of confidence for the union officials, was compelled to abandon its efforts for a vote when most of the estimated 1,000 members present appeared to be hostile.

In the forefront of the opposition group were performers engaged at various shows at the World's Fair, principally the "Aquacade." These performers have been urging for several weeks that a general strike be declared at the Fair and this has been supported by some of the other unions in the New York Theatrical Trades Council.

Present difficulties in the A.F.A. make such a move unlikely at present.

Hearing on charges against A.F.A. is scheduled for July 10.

### Film Men Form Short Wave Committee

**Charles McCarthy, advertising director of 20th Century-Fox, was chosen chairman of a committee to work out details for a series of short-wave programs in behalf of the film industry, at yesterday's meeting of advertising and publicity heads of all major studios, in the offices of Will Hays.**

**Others selected to serve on the committee, which will meet for the first time today, include Dave Blum and Al Deane of the foreign departments of M-G-M and Paramount respectively, and Lester Thompson and Ken Clark of the Hays office.**

**Problems the committee will tackle today include script matters, coordination of the news so that it will coincide with the release of pictures in foreign markets, and translation of copy into five languages. Programs are to be broadcast daily, over both NBC and CBS, to Europe and Latin American countries.**

# Studios Busy With 47 Films In Production

HOLLYWOOD, June 20.—Forty-seven pictures are shooting this week, as nine finished and eight started. Twenty-seven are being prepared, and 78 are being edited.

Started were: "The Man from Texas," Monogram; "Dr. Cyclops," "Death of a Champion," Paramount; "Full Confession," RKO; "Dick Tracy and His G-Men," Republic; "Intermezzo," Selznick; "Frontier Marshal," 20th Century-Fox; "Fury of the Tropics," Universal.

In addition to these, shooting were: "Mr. Smith Goes to Washington," "Golden Boy," "Coast Guard," "Blondie Takes a Vacation," Columbia; "The Real Glory," Goldwyn; "The Women," "Ninotchka," "Babes in Arms," "Thunder Afloat," "Miracles for Sale," "A Day at the Circus," "Lady of the Tropics," "Blackmail," "These Glamour Girls," M-G-M; "Mr. Wong in Chinatown," Monogram; "Ruler of the Seas," "Doubled Dyed Deceiver," "Are Husbands Necessary?," "$1,000 a Touchdown," "The World on Parade," Paramount; "Nurse Edith Cavell," "My Fifth Avenue Girl," RKO; "A Chump at Oxford," Roach; "Gone with the Wind," Selznick; "The Rains Came," "Here Am I, a Stranger," "Falling Stars," "Heaven With a Barbed Wire Fence," "The Adventures of Sherlock Holmes," 20th Century-Fox; "The Underpup," "Modern Cinderella," "I Stole a Million," "Sandy Takes a Bow," Universal; "The Knight and the Lady," "Career Man," "The Return of Dr. X," "Kid Nightingale," "On Your Toes," "The Dead End Kids at Military School," Warners.

Finished were: "A Criminal at Large," Columbia; "They All Come Out," M-G-M; "The Star Maker," "Our Leading Citizen," Paramount; "Colorado Sunset," "Should Husbands Work?," Republic; "Bright Victory," "Desperate Trails," Universal; "Dust Be My Destiny," Warners.

FLY
AMERICAN
NEW YORK
TO
LOS ANGELES
Cool All the Way
3 FLIGHTS DAILY
7:10 A. M.
5:10 P. M.
10:10 P. M.
Call your travel agent or VAnderbilt 3-2580. Ticket Offices: 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.
AMERICAN AIRLINES Inc.

# Purely Personal

CHRISTOPHER McHALE, Broadway, Lawrence; PAUL WENZEL, Strand, Newburyport; HAROLD CUMMINGS, Warner, Lynn; RUSSELL BARRETT, Strand, Woburn; JAMES O'LAUGHLIN, Strand, Amesbury; FRANK MORIN, Colonial, Hartford; BILL FLANAGAN, Lenox, Hartford; TOM MALLER, Rialto, Hartford; TOM GRACE, Circle, Manchester; JOE BORENSTEIN, Embassy, New Britain; VICTOR MORELLI, Bristol; GEORGE HARVEY, Empress, Danbury; JOHN SCANLON, Warner, Torrington; MANNY KUGEL, Palace, South Norwalk, are the Warner New England theatre men now on vacation.

•

BOB HOPE, Paramount star, leaves the coast today for personal appearances in Minneapolis, Chicago and New York, prior to sailing for his native England on the *Normandie* Aug. 2. With him will go DOLORES READE, his wife, and an aunt and uncle, MR. and MRS. FRED HOPE.

•

Among Latin American visitors to Warners home office yesterday were RAFAEL MARTI of Teatros Modernos Circuit, San Juan, Puerto Rico; A. SANTONI, Arecibo, Puerto Rico; CARLOS SANCHEZ, Havana, Cuba; RAMON BECALI, critic of *"El Pais,"* Havana daily.

•

IRVIN ELLIOTT BERNSTEIN, Yale graduate, won the Nathan Burkan Memorial Prize, awarded annually to the Yale Law School student who prepares the best paper on copyright law, for his paper on "The Motion Picture Distributor and Copyright Law."

•

JAMES MULVEY, W. RAY JOHNSTON, WILLIAM FITELSON, ARTHUR KELLY, HARRY GOLD, JOE MALCOLM, BORIS MORROS, AL CHRISTIE, BERT WHEELER, MAURICE CLEARY, SAM CITRON lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

EVELYN O'CONNELL, former secretary of Y. FRANK FREEMAN, has been named official hostess of Paramount to New York World's Fair visitors. Her headquarters are on the ninth floor of the Paramount Building.

•

DR. J. B. FISHMAN of Fishman Theatres, New Haven, has been reappointed honorary research fellow in physiological chemistry at the Yale Medical School for the year 1939-'40.

•

JOHN GUNTHER, NBC's roving correspondent in Europe, sails today on the *Ile de France*. Also sailing is WILLIAM R. WILKERSON.

•

MILDRED BLANCHE COLES, Paramount player, has been given a new professional name, GLORIA CARTER.

•

ROLF PASSER, newspaperman, has been signed by Monogram to write the screenplay of "Rip Van Winkle."

•

JOHN CARROLL, Monogram star, has returned to the coast after a visit to his mother in New Orleans.

•

RUSSELL BIRDWELL is due in New York by plane from the coast tomorrow morning.

•

VICTOR ORSATTI, agent, sails on the *Queen Mary* today.

ROY HAINES, eastern and Canadian sales manager for Warners, left yesterday for a tour of central district branches, including Pittsburgh, Cleveland, Detroit and Cincinnati.

•

JOSEPH HAIMOVICI, Scala and Regal Theatres, Bucharest; M. SHAPIRO, Radio Theatre, Baltimore; J. S. CAULEY, Capitol, Peterboro, Ont.; JOSEPH GOLDSTEIN, Mikado, St. Louis; S. FIRESTONE, Firestone Theatre, Toronto; J. SMITH, Kun C. Theatre, Toronto, and LEO T. JONES, Star, Upper Sandusky, O., were visitors at the RKO World's Fair lounge yesterday.

•

F. ALVEREZ COTO, vice-president and general manager of Películas Cubanas, S. A., is in town, and expects DR. OSCAR ZAYAS, president of the company and well-known Cuban newspaperman, tomorrow.

•

JULIO MOLINA FONT and MANUEL PEÓN B., co-producers of "Mujeres y Toros," Mexican feature picture, are in town with a print of their latest production.

•

RAY MILLAND will leave England on the *Normandie* today, and his next Paramount film, "The White Flame" is scheduled to go into work on the coast July 5.

•

AL PARIS, short subjects booker for Walter Reade Theatres, is on a two-month leave of absence, due to illness. RAE COHEN, his assistant, is handling the job.

•

BENJAMIN THAU, M-G-M production executive, is in town for conferences with NICHOLAS M. SCHENCK and J. ROBERT RUBIN.

## *Albert Lewis Quits As Para. Producer*

HOLLYWOOD, June 20.—Albert Lewis has resigned as an associate producer at Paramount, as a result of dissatisfaction over the studio's refusal to produce "Knights of the Round Table," on which he already had spent eight months in research.

Under the terms of the amicable settlement of his contract, Lewis retains his options on "Knights of the Round Table" and on "Gettysburg," the latter recently announced as a high budget picture by Paramount.

## *Kent to Trinidad; Due Here Monday*

S. R. Kent, president of 20th Century-Fox, and Mrs. Kent, with Walter J. Hutchinson, foreign chief, arrive in Trinidad today en route from Rio de Janeiro. After a short stop, the Kents will proceed to New York on the *Brazil*, due here next Monday.

Hutchinson remains in Trinidad three days for the duration of the company's Central American convention. He is due back in New York about July 10.

## *Hinchy Promoted*

Ed Hinchy has been appointed assistant film buyer for Warner theatres by Joseph Bernhard, general manager of the circuit. He will assist Clayton Bond, chief film buyer. Hinchy has been with Warners eight years.

# Drama Guild Pact Changes Made Publi

(*Continued from page 1*)

production upon payment of a mi mum sum which will be fixed betwe $15,000 to $25,000 and a royalty ba on the total gross of the legiti play production.

This royalty will be fixed at a proximately 10 per cent of the gro both on Broadway and road sho runs, but there is a possibility that sliding scale may be adopted.

The new provision will be ma available to recognized film compani only. The contract will be made b tween a manager who is a signato to the pact, the Guild and the co pany backing the play. The auth may, of course, insist on higher pa ments than the minimums provide Other terms of the basic agreeme remain in effect.

Since the payment to the auth depends on the length of the pla run, precautions have been taken prevent premature closings. An ope ing budget is fixed by estimate at t time the play is purchased and th estimated budget may not be exceed by more than 20 per cent without m tual consent.

As long as the gross runs close meeting the budget (the exact perce tage will be fixed by further negoti tion) the show must be kept ope When it drops below the fixed ma either the manager or author m continue it but royalties will be pa only if grosses pick up. An arbitr tion clause will also be worked ou

The new contract will be for short term, probably one year. T film company is required to pay the expenses of production and ope ating costs. Release date of the fil is delayed until after the lapse one season after the show closes he

Payment for options to plays r mains stationary at $100 per mon for the first six months and $1 monthly thereafter. Also the sa is the provision for a maximum 40 per cent of all payments for fil rights to go to the manager a backer; the remaining 60 per ce goes to the author.

After approval by the council, th agreement must be accepted by th membership and two-thirds of th managers who are parties to the pa

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# LEAPING LEO!

## CHIPPER "MR. CHIPS"!

Cincinnati joins the ranks of Dayton, Columbus and Cleveland to establish "Goodbye Mr. Chips" (*Robert Donat, Greer Garson; directed by Sam Wood*) as a sure-fire sensation everywhere! Watch the new openings nationwide! Imagine! The 5th week at the Astor, N.Y. tops the previous week!

## "MAISIE" IS A DAISY!

This exploitation natural is a hot-weather box-office tonic! "MAISIE", the Explosive Blonde (*Robert Young, Ann Sothern; directed by Edwin L. Marin*) is delighting audiences and exhibitors everywhere.

## THAT "TARZAN" YELL!

From coast to coast showmen are doing their stuff and "TARZAN FINDS A SON" (*Johnny Weissmuller, Maureen O'Sullivan; directed by Richard Thorpe*) is topping all previous Tarzan hits.

## LUCKY 7th HARDY HIT!

Flash from Huntington Park, Cal.: "Sensational preview of 'ANDY HARDY GETS SPRING FEVER', the lucky 7th Hardy hit. Ecstatic audience almost tore the house down." (*Directed by W. S. Van Dyke, II*).

THE PLAYBILL
ON BORROWED TIME

## "ON BORROWED TIME" GREAT!

"ON BORROWED TIME" (*Lionel Barrymore and big cast, directed by Harold S. Bucquet*) is the talk of the West Coast. The stage hit has become a screen triumph, one of the best produced by any studio this year!

## WATCH THAT DEPENDABLE LION!

He's in full stride and you ain't seen nothin' yet! "LADY OF THE TROPICS" (*Robert Taylor, Hedy Lamarr; directed by Jack Conway*); "THE WOMEN" (*Norma Shearer, Joan Crawford, Rosalind Russell and All-Star Cast; directed by George Cukor*); "BLACKMAIL" (*Edward G. Robinson; directed by Henry C. Potter*) and other BIG ONES for June, July, August. When your box-office needs a friend, there's always THE FRIENDLY COMPANY!

# 'World' Does Good $5,700; Twin Cities Off

MINNEAPOLIS, June 20.—Business in general was dull, with "It's a Wonderful World" taking first place here with $5,700 at the Orpheum.

In St. Paul, "East Side of Heaven" did $3,800 at the Paramount to lead the field.

Estimated takings for the week ending June 15:

**MINNEAPOLIS:**

**"Lady and the Mob" (Col.)**
**"Unmarried" (Para.)**
ASTER—(900) (15c-25c) 5 days. Gross: $1,100. (Average, $1,500)

**"Calling Dr. Kildare" (M-G-M)**
CENTURY—(1,600) (25c-40c) 7 days Gross: $3,500. (Average, $4,000)

**"Some Like It Hot" (Para.)**
GOPHER—(990) (25c) 7 days. Gross: $2,400. (Average, $2,500)

**"It's a Wonderful World" (M-G-M)**
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $5,700. (Average, $4,800)

**"Concert in Tyrol" (Foreign)**
WORLD—(400) (25c-55c) 9 days. Gross: $1,000. (Average, $1,400)

**ST. PAUL:**

**"It's a Wonderful World" (M-G-M)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $3,500. (Average, $3,200)

**"Society Lawyer" (M-G-M)**
RIVIERA—(1,000) (25c) 7 days. Gross: $1,700. (Average, $1,800)

**"East Side of Heaven" (Univ.)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $3,800. (Average, $4,000)

**"Chasing Danger" (20th-Fox)**
**"Romance of the Redwoods" (Col.)**
TOWER—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,500)

**"Prison Without Bars" (U. A.)**
WORLD—(400) (25c-35c) 7 days. Gross: $700. (Average, $700)

## *'Lincoln' at $7,500 Best in Providence*

PROVIDENCE, June 20.—"Young Mr. Lincoln" and "Charlie Chan in Reno" led the grosses here, comparatively, with $7,500 at the Majestic.

Estimated takings for the week ending June 15-16:

**"Maisie" (M-G-M)**
**"6,000 Enemies" (M-G-M)**
LOEW'S STATE—(3,230) (25c-30c-50c) 7 days. Gross: $10,000. (Average, $11,000)

**"Young Mr. Lincoln" (20th-Fox)**
**"Charlie Chan in Reno" (20th-Fox)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)

**"Gracie Allen Murder Case" (Para.)**
**"Undercover Doctor" (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days Gross: $4,500. (Average, $6,000)

**"Return of the Cisco Kid" (20th-Fox)**
FAY'S—(1,800) (25c-35c-40c). Vaudeville. 7 days. Gross: $4,800. (Average, $6,500)

**"Jaurez" (W. B.)**
**"North Sea" (Lenauer)**
CARLTON—(1,526) (25c-35c-50c) 2nd week, 7 days. Gross: $3,000. (Average, $3,500)

## *Two Reissues Lead Omaha With $5,800*

OMAHA, June 20.—"Of Human Bondage" and "Star of Midnight," two reissues, pulled $5,800 at the Brandeis for comparatively best money of the week.

Estimated takings for the week ending June 16-17:

**"Of Human Bondage" (RKO reissue)**
**"Star of Midnight" (RKO reissue)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,800. (Average, $4,000)

**"Return of the Cisco Kid" (20th-Fox)**
**"Hound of the Baskervilles" (20th-Fox)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,800. (Average, $6,000)

**"King of the Turf" (U. A.)**
ORPHEUM—(3,000) (35c-55c) 7 days. Stage: Ted Lewis and revue. Gross: $13,600. (Average, $14,000)

# *Hollywood Preview*

## *"Down the Wyoming Trail"*

*(Monogram)*

HOLLYWOOD, June 20.—Staged principally in the snow country around Jackson's Hole, Wyoming, this Tex Ritter western is eye-filling and exciting stuff in its exterior sequences, less remarkable when the action moves indoors but well balanced over all. Ritter's principal associates in the cast are Mary Brodell, Bobby Lawson, Charles King, Bob Terry, Horace Murphy and Ernie Adams.

Produced by Edward Finney and directed by Al Herman from a story and screenplay by Peter Dixon, the picture offers Ritter as a two-fisted cowhand equally at home with guitar and six-gun, a fearless fellow utterly untimid about breaking into song without notice whilst held captive in the snowbound cabin of cut-throats whose operations have made him momentary fugitive from plains justice. He handles the job nicely.

Ritter is framed for the murder of a ranch hand and escapes a posse with cooperation of the friendly sheriff on the understanding that he will join the outlaw band and bring in the real murderer. He brings in the whole gang, employing superstition as well as fisticuffs and cunning in an unusual working out of the basically familiar formula.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

---

*"G" denotes general classification.

# 'Juarez' $9,000 Detroit Leader

DETROIT, June 20.—Second run of "Juarez" at the Palms-State plus "Nancy Drew, Trouble Shooter" led the field with $9,000. "Young Mr. Lincoln" gave the Adams a good $7,000.

Estimated takings for the week ending June 15:

**"Young Mr. Lincoln" (20th-Fox)**
**"Boy Friend" (20th-Fox)**
ADAMS—(1,700) (15c-40c) 7 days, 2nd run. Gross: $7,000. (Average, $5,000)

**"The Sun Never Sets" (Univ.)**
**"Sorority House" (RKO)**
FOX—(5,000) (20c-55c) 7 days. Gross: $10,000. (Average, $10,000)

**"Bridal Suite" (M-G-M)**
**"Tell No Tales" (M-G-M)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $10,000. (Average, $10,000)

**"Juarez" (W. B.)**
**"Nancy Drew, Trouble Shooter" (W. B.)**
PALMS-STATE—(3,000) (15c-50c) 7 days, 2nd run. Gross: $9,000. (Average, $5,000)

## *'Juarez' Garners $14,500, Cincinnati*

CINCINNATI, June 20.—"Juarez," with $14,500 at the RKO Albee, was the only picture to go over average. "Captain Fury" had a fair week with $9,000 at the RKO Palace. Business at the other houses was slow.

Estimated takings for the week ending June 14-17:

**"Juarez" (W. B.)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $14,500. (Average, $12,000)

**"Captain Fury" (U. A.)**
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,000. (Average, $10,000)

**"Only Angels Have Wings" (Col.)**
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $3,600. (Average, $6,500)

**"Hotel Imperial" (Para.)**
RKO LYRIC—(1,400) (35c-42c) 7 days. Gross: $2,400. (Average, $5,000)

**"Rose of Washington Square" (20th-Fox)**
RKO GRAND—(1,200) (25c-40c) 7 days, 3rd week. Gross: $2,500. (Average, $2,750)

**"Romance of the Redwoods" (Col.) (2 days)**
**"Big Town Czar" (Univ.) (3 days)**
**"The Kid from Texas" (M-G-M) (2 days)**
RKO FAMILY—(1,000) (15c-25c). Gross: $1,900. (Average, $2,400)

**"Bridal Suite" (M-G-M)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,300. (Average, $6,000)

# 'Juarez' $10,000 Milwaukee Smash

MILWAUKEE, June 20.—"Juarez" and "Sweepstakes Winner" took a strong $10,000 at the Warner, the only house to do better than average.

Estimated takings for the week ending June 14-16:

**"The Mikado" (Univ.)**
PABST—(1,624) (25c-50c) 7 days. Gross: $1,800.

**"Forged Passport" (Rep.)**
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Hawaiian Follies. Gross: $6,000. (Average, $6,500)

**"Juarez" (W. B.)**
**"Sweepstakes Winner" (W. B.)**
WARNER—(2,400) (35c-50c) 7 days. Gross: $10,000. (Average, $4,500)

**"Maisie" (M-G-M)**
**"6,000 Enemies" (M-G-M)**
WISCONSIN—(3,200) (35c-50c) 6 days. Gross: $4,300. (Average, $5,500)

**"The Lady's From Kentucky" (Para.)**
**"Some Like It Hot" (Para.)**
**"Invitation to Happiness" (Para.)**
**"Undercover Doctor" (Para.)**
PALACE—(2,400) (35c-50c), 4-3 days, respectively, split week. Gross: $4,000. (Average, $4,000)

**"Young Mr. Lincoln" (20th-Fox)**
**"East Side of Heaven" (Univ.)**
STRAND—(1,400) (35c-50c) 7 days. Gross: $1,200. (Average, $1,500)

## *'Gorilla' Hits $2,500 In New Haven Slump*

NEW HAVEN, June 20.—"The Gorilla" and "Kid from Texas" at the College were closest to hitting normal business in a torrid week. Take was $2,500. At the Roger Sherman, "The Mikado" and "Secrets of a Nurse" grossed $4,300.

Estimated takings for the week ending June 17:

**"The Gorilla" (20th-Fox)**
**"Kid From Texas" (M-G-M)**
COLLEGE—(1,499) (25c-35c) 7 days. Gross: $2,500. (Average, $2,700)

**"It's a Wonderful World" (M-G-M)**
**"Tell No Tales" (M-G-M)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $6,000. (Average, $8,000)

**"The Lost Patrol" (RKO)**
**"Star of Midnight" (RKO)**
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $2,800. (Average, $4,000)

**"The Mikado" (Univ.)**
**"Secrets of a Nurse" (Univ.)**
ROGER SHERMAN—(2,200), 35c-50c, 7 days. Gross: $4,300. (Average, $4,700)

# Seattle Slow; 'Heaven' Hits Fair $6,30

SEATTLE, June 20.—Grosses w
off here. Best comparative busi
was done by "East Side of Hea
and "Ambush" with $6,300 in
second week at the Paramount.
weather was cool and night bas
supplied competition.

Estimated takings for the week e
ing June 16:

**"Captain Fury" (U. A.)**
**"The Jones Family in Hollywood" (20th-F**
BLUE MOUSE—(950) (30c-40c-55c)
days, 2nd week. Gross: $3,500. (Aver
$4,000)

**"It's a Wonderful World" (M-G-M)**
**"Tell No Tales" (M-G-M)**
FIFTH AVENUE—(2,500) (30c-40c-55
days. Gross: $6,900. (Average, $7,000)

**"Only Angels Have Wings" (Col.)**
LIBERTY—(1,800) (25c-30c-40c-55c) 7 d
5th week. Gross: $3,800. (Average, $5,

**"The Mikado" (Univ.)**
MUSIC BOX—(950) (30c-40c-55c) 7 d
3rd week. Gross: $4,300. (Average, $5,

**"Gracie Allen Murder Case" (Para.)**
**"Women in the Wind" (W. B.)**
ORPHEUM—(2,450) (30c-40c) 7 d
Gross: $5,800. (Average, $6,000)

**"Comet Over Broadway" (W. B.)**
**"Street of Missing Men" (Rep.)**
PALOMAR—(1,500) (15c-25c-30c-40c
days. Sterling Young's Band on st
Gross: $5,100. (Average, $5,000)

**"East Side of Heaven" (Univ.)**
**"Ambush" (Para.)**
PARAMOUNT—(3,050) (30c-40c) 7 d
2nd week. Gross: $6,300. (Average, $6,

## *'Chips' $15,000 Hit in Clevela*

CLEVELAND, June 20.—"Good
Mr. Chips" at Loew's State piled
$15,000. "Only Angels Have Win
at Warners' Hippodrome, the o
other new picture on the first
program did $12,000. The weather
cool.

Estimated takings for the week e
ing June 16:

**"Juarez" (W. B.)**
ALLEN—(3,000) (30c-35c-42c) 7 days,
week, Gross: $5,000. (Average, $4,000)

**"Only Angels Have Wings" (Col.)**
WARNERS' HIPPODROME—(3,
(30c-35c-42c) 7 days. Gross: $12,
(Average, $11,000)

**"Confessions of a Nazi Spy" (W. B.)**
RKO PALACE—(3,100) (30c-35c-42c)
days, 2nd week. Gross: $7,000. (Aver
$8,000)

**"Goodbye Mr. Chips" (M-G-M)**
LOEW'S STATE—(3,500) (30c-35c-42c
days. Gross: $15,000. (Average, $11,000)

**"It's a Wonderful World" (M-G-M)**
LOEW'S STILMAN—(1,900) (30c-35c-
7 days, 2nd week. Gross: $3,500. (A
age, $5,000)

## *'Lincoln,' $4,300 Kansas City Le*

KANSAS CITY, June 20.—"Yo
Mr. Lincoln" took $4,300 at the U
town, for a better second than fi
week at the house. "It's a Wonde
World" and "Tell No Tales" at
Midland drew $11,900.

Estimated takings for the week e
ing June 13-15:

**"Ex-Champ" (20th-Fox)**
ESQUIRE—(800) (25c-40c) 7 days. Gr
$3,200. (Average, $3,000)

**"It's a Wonderful World" (M-G-M)**
**"Tell No Tales" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 d
Gross: $11,900. (Average, $11,500)

**"Juarez" (W.B.)**
NEWMAN—(1,900) (25c-40c) 7 days.
week. Gross: $5,500. (Average, $7,000)

**"Young Mr. Lincoln" (20th-Fox)**
UPTOWN—(2,000) (25c-40c) 7 days.
week. Gross: $4,300. (Average, $3,500)

# arners Plan wo New Nazi xpose Films

(Continued from page 1)

iental in spreading rumors that y' is not a successful picture. These ics have caused certain other stu- I understand, to abandon plans had made to produce pictures of milar nature.

Warners intends, however, to carry its original independent program. is quite evident to me that our onents, who either have a personal to grind or who are not anxious see the screen mature to a place ere it can handle controversial sub- ts, do not have an understanding the Warner type of determination progressiveness.

The same spirit which guided us giving the world talking pictures inst the cries of some of these e critics, to present the first talk- film in color, first of the gangster ns, which exposed conditions of t era, as well as 'Pasteur,' 'Zola,' arez' and countless other films of a initely progressive nature is guid- us in our determination to stick to policy of showing the public what sts in the world today.

"We firmly believe, as Zola did, t 'truth is on the march' and noth- can stop it, and we hope to play art in bringing these evident truths all the people of all the world."

### Kuhn Loses 'Spy' Move

Federal Judge Leibell yesterday re- ed an application of Fritz Kuhn, rman Bund leader, to restrain ex- ition of Warners "Confessions of a zi Spy" pending trial. Judge Lei- l ruled that no injunction may be ued to prevent the publication of a el and refused to consider the merits Kuhn's charges at this time.

## learance Parley Delayed for Week

Conference on proposed revision of arance in upstate cities, scheduled today, has been postponed to next ek.

H. M. Richey of RKO, one of the eduled conferees, is attending the npany's convention, and E. Thorn- Kelly, executive secretary of New rk Allied, which brought the com- ints, is out of town.

# Hollywood Preview

## "Timber Stampede"

*(RKO)*

HOLLYWOOD, June 20.—Action and adventure are the main ingredients of this semi-historic story, with comedy and romantic love interest as sustaining qualities. Marking George O'Brien's sixty-third appearance either as a star or featured performer, the film concentrates on those elements that show the fourth ranking western box-office personality off to best advantage. While O'Brien is the dominating figure in "Timber Stampede," he is ably supported by Guy Usher, Morgan Wallace, Marjorie Reynolds, with whom he shares the love interest, and Chill Wills and Earl Dwire, who account for the comedy.

The land grabbing activities of railroad president Usher and lumberman Wallace which threaten to ruin cattlemen is the picture's story basis. Direct object of their raiding is Dwire, publisher of the local paper. Meanwhile, as romance grows between O'Brien and Miss Reynolds, who has been deceived into aiding their scheme, Usher and Wallace overrun the ranges with fake homesteaders. But just as it appears that the cattlemen are fighting a losing battle, O'Brien unearths evidence exposing their fraudulent scheme and the stage is set for the exciting siege and gun battle.

Bernard McConville's story and Morton Grant's screenplay are full of those exciting incidents that start youngsters whooping and hollering, yet the manner in which David Howard directed gives the show appeal to grownups.

Running time, 60 minutes. "G."* G. McC.

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*"G" denotes general classification.

## Johnston Leaving For England Today

W. Ray Johnston, president of Monogram, will sail today on the *Queen Mary* for London, to confer with Monogram's English distributor, William J. Gell, and to visit the exchanges of Pathe Pictures, Ltd., which handles Monogram product in England, Ireland, Scotland and Wales. Johnston also will confer with Ernest Wettstein, Monogram's representative in Paris.

Accompanying Johnston will be Ralph Bettinson, Pathe representative in Hollywood, and George West, distributor of Screeno, and part owner of several Monogram exchanges. This will be Johnston's first trip abroad.

## Fined for Tax Delay

Max Wilner, Simon Wolf and Irving Richman, officers of the Fielwol Amusement Corp., operators of the Hopkinson, Brooklyn, were fined $600 yesterday by Federal Judge Matthew T. Abruzzo, after pleading guilty to a charge of unduly delaying payment of Federal amusement taxes. On plea of their attorney, the three were given until Aug. 3 to pay fine.

## Meeting Tomorrow Of Syracuse Allied

SYRACUSE, June 20.—Rapley P. Merriam, regional vice-president of New York Allied, will discuss the clearance situation in Syracuse and Binghamton at the meeting of the local unit of the exhibitor organization at the Hotel Syracuse Thursday.

E. Thornton Kelly, executive secretary of New York Allied, will give the highlights of the recent Minneapolis convention of national Allied.

## Max Arnow Joins Wanger

HOLLYWOOD, June 20.—Max Arnow, former casting director for Warners, has joined the Walter Wanger organization as production executive. He will act as contact with other studios and will be in charge of casting.

# U. S. Evidence of Conspiracy Said Lacking

The Government has no written evidence of conspiracy by the majors and must rely on examination of the files of film companies and answers to questionnaires to obtain its evidence, Special Assistant Attorney General Paul Williams told Federal Judge Conger yesterday during argument of an application by United Artists for a further bill of particulars.

The exact status of United Artists is even yet unknown to the Government, Williams continued, but since complaints of exhibitors are coming in against that company the Department of Justice must include United Artists in all charges made against other companies until the department discovers whether United Artists has been guilty equally with the other defendants.

Benjamin Pepper spoke for United Artists and charged the Government with conceiving its bill of particulars "with the intent of deceiving us." When the company sought to learn exactly which exhibitors the Government claimed have been overbuying from United Artists, Pepper declared, the sole answer had been a "philosophic discussion of how it took place."

## Goldwyn Files Brief In U. A. Pact Action

WILMINGTON, Del., June 20.—Samuel Goldwyn yesterday filed supplementary briefs in Federal court here answering United Artists' plea for dismissal of the Goldwyn action against U. A., alleging breach of contract.

The Goldwyn answer declares that U. A. itself "does not take seriously" its point of community of interest in that the plaintiff's complaint failed to include Alexander Korda, Douglas Fairbanks, London Films and Elton Corp. as parties to the suit. U. A. has until Friday to file briefs.

# The Newsreel Parade

*An assortment of comparatively un- portant events comprise the new s. The reels and their contents w:*

OVIETONE NEWS, No. 81—Military geant in England. King and Queen farewell. *Atlantic Clipper* takes off. ers on good will voyage. King and een of cotton are crowned. Frisco Fair. shions. Lew Lehr. Finland's Minister ys war debt installment. Henry Ford New York Fair. William Strang flies Russia. King Gustav in Sweden. Ascot e in England. Women's open golf rnament. Track meet. Poughkeepsie atta.

EWS OF THE DAY, No. 279—King Queen leave for England. Trooping the colors in England. *Atlantic Clipper* ves. Finland pays war debt. Unveil ffre statue. Italian legions return from ain. Crew race. Invitation mile race.

PARAMOUNT NEWS, No. 92—Britain prepares for Monarchs' return as they embark for home. New York Fair. Garden party in London. W. J. Eck buys first clipper ticket. Auto consumes coal gas. California wins crew race. Track meet.

RKO PATHE NEWS, No. 96—Royalty ends tour. Finland meets war debt installment. Ambassador Kennedy is honored at Cambridge University. Fascist legions home from Spain. Rowing race at Poughkeepsie. Trooping of the colors in England. Fenske wins mile race. Pepper Martin in home town.

UNIVERSAL NEWSREEL, No. 781—Trooping of colors in England. Italian troops return from Spain. Marshal Joffre memorial. Finland pays debt. New Russian ambassador takes office. Clipper in flight. Henry Ford at Fair. Test liquid coal gas. King and Queen depart. Aged couples convene. Poughkeepsie regatta. Princeton meet.

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AIR EXPRESS

# RKO Raises Production Budget 40%

(*Continued from page* 1)

western and southern sales manager, spoke briefly followed by Harry Michalson, short subject sales manager.

Howard Benedict, studio publicity head, delivered a message of greeting from studio departments. J. J. O'Connor, RKO theatre head, also greeted the convention delegates.

### Predicts New Sales Record

Jules Levy, general sales manager, and A. A. Schubart, manager of exchange operations, were among the speakers at the morning session. The new season sales policy was described to the men in detail by Levy. He predicted that the field force, while getting a late start in selling, would establish a new sales record on the merit of the new product and the company's policies.

Referring to the short subject program, Levy said a general increase in the quality of features will serve to reduce the number of double feature houses, opening the way for more playdates for one and two-reelers.

Schubart discussed the trade practice code and its relation to sales policies.

### Disney Officials Speak

Activities of the Walt Disney studio were related to the sales force by Roy Disney. Gunther Lessing, counsel, complimented Schaefer on his accomplishments as head of the company for the past six months and predicted that RKO Radio "would soon lead the industry in production and selling."

Hal Horne, Disney vice-president, described promotional plans for "Pinocchio," the new feature length cartoon to be released at holiday time. Kay Kamen, Disney merchandising manager, reported that merchandise employing copyrighted Disney designs is grossing $35,000,000 annually. "Pinocchio" merchandise will be produced by 56 manufacturers, he said.

Other speakers from the Disney company were William B. Levy of London and Wally Feignoux of Paris.

### 39 Short Subjects Set

Details of the production program of 39 short subjects to be undertaken by RKO Pathe were provided by Frederic Ullman, Jr., vice-president and general manager. He said that many improvements are planned for RKO Pathe News during the year.

Frank Donovan, RKO Pathe production manager, and Louis Hyman, representing Sol Lesser, also spoke briefly on production activities with which they are associated.

Final business meetings will be held today. Completion of unfinished business will be followed by individual district and branch meetings.

E. L. McEvoy, eastern and Canadian manager, and Cresson E. Smith, western and southern manager, will meet with their respective district and exchange personnel.

## *Bathing Beauty Contests*

Proctor's 125th Street, RKO house, will augment the Summer shows with a bathing beauty contest every Friday.

## *Schaefer Speaks*

**George J. Schaefer, RKO president, delivering his address to the convention delegates, while listening attentively are, seated left to right: Ned E. Depinet, vice-president; Jules Levy, general sales manager, and William Mallard, general counsel.**

## RKO Sidelights at the Convention

George Schaefer said he had as busy a time as did the King and Queen on their recent visit, for he gladhanded almost 90 per cent of the convention gang between Sunday and the opening of the first session.

Ned E. Depinet proved that he was one of the best amateur photographers at the meeting, when he took over the direction of the big mob scene, told the boys to give their all—and only one take was necessary.

James Finey of the Walt Disney gang was around greeting many of his old comrades from the days when he served under Jules Levy.

When A. A. Schubart was making a roll call he inadvertently asked whether he was present and Ned Depinet let out a loud yell to indicate that he was.

Fred Ullman of RKO Pathe took advantage of the rest sessions to get some expert lowdown on the European situation from Phil Reisman.

Harry Mandel, director of the RKO Theatres publicity and advertising department, was seen in a corner having a private conference with RKO Radio Pictures' ad and publicity director, S. Barret McCormick.

Lou Gaudreau spent many an anxious moment worrying whether the flashy RKO product announcement book would arrive on time, and when one of the bellhops rushed in with a message that all was okay, Lou heaved a sigh of relief.

Michael Hoffay, foreign publicity representative, kept signaling to many of his cronies, but the domestic boys found it difficult to get a line on his secret code messages. From the happy look on Harry Ehrreich's face they must have been very fancy.

Mildred Hartman, secretary to William McShea, assistant manager of exchange operations, and Florence Fineman of the publicity department represented the feminine contingent outside the convention hall, where the typewriters clicked oft the stories.

Ned Depinet in his Monday morning talk read telegrams of best wishes to RKO Radio from A. F. Sams, Jr., Charles W. Peakway and Carol Bainford of North Carolina, Charlie Koerner, Sol Lesser, John H. Harris, Bernie McCarthy, Independent Theatre Owners of Southern California, and Leo Spitz.

Jules Levy introduced three midgets as the George Schaefer Drive home office committee and half a dozen gag letters were read by them. If the drive had been better there would have been a bigger committee, Jules said. They answered the roll call in squeaky voices that brought a gale of laughs.

Dick Condon was ever the cheerful host in 502. The boys had a chance to try Donald Duck highball containers.

Charles Laughton was so impressed with the Westchester Country Club landscape that he nearly missed his car back to New York.

Fred Ullman screened his first "Information Please!" and the boys learned a lot and laughed a lot.

Dave Strumpf, art chief, and Ben Grimm, ad man, were all smiles when President Schaefer paid tribute to the Barret McCormick gang for the fine announcement books.

Bill Dahler and Lou Miller, aids to E. L. McEvoy and Cresson Smith, were as usual inseparable in session, but otherwise Bill was playing ball and Lou was on the links.

# RKO Foreign Sales Boom; Meetings Se

A series of RKO sales conventi
in leading foreign territories throu
out the world will be started in
near future, Phil Reisman, gene
manager of the RKO foreign de
ment, reported yesterday in add
ing the company's international sa
meeting at Westchester Country Cl
Rye.

Meetings have been scheduled
Central America, Australia, In
France, England and South Amer

### Promotions Announced

The following promotions in
foreign department were announc
Nat Liebeskind, supervisor for
Argentine, is given Brazil, Peru a
Chile additionally, and Leon Britt
supervisor for Japan, Philippines a
China, is made supervisor of In
Ceylon, Straits Settlement and Du
East Indies additionally.

A 52-week foreign sales drive
planned beginning August 1, and
be participated in by the 27 di
distributing centers throughout
world apart from the axis-control
nations.

### 100% Sales Record

Ralph Hanbury, managing direc
for United Kingdom, reported t
that territory had shown increa
grosses each year for the past
years. He said the organization
a 100 per cent sales record for
period of the George J. Schaefer dr
and that this should be bettered w
the new releases.

Other speakers on foreign operati
included Ben Y. Cammack, assist
to Reisman; and Reginald Armo
general European manager, who
clared his territory has shown a
per cent increase in business last ye

# 'Magic Key' Show On 'Second Fiddl

Details have been set for the f
Monday program on June 26 of
RCA "Magic Key" program, wh
will be devoted to exploitation of
20th Century-Fox film, "Second F
dle," which has Irving Berlin mu

The program will be heard over
NBC Blue network, covering
United States, Canada and Cuba
total of 60 stations. The time is 8
to 9:30 P.M. The program will ju
about the globe, starting in New Yo
with renditions of the Berlin melod
from the film by Rudy Vallee.

The show then will go to Hol
wood, for a word from Darryl Zanu
and singing by Mary Healy of
film's cast. Berlin will be introdu
from New York, Vallee will s
again, Frank Black's orchestra
perform, and a three-way hookup
Oslo, Norway, New York and Hol
wood will feature a love scene betw
Sonja Henie in Oslo and Tyr
Power in Hollywood, with Vallee
New York setting the scene.

Jack Harris' orchestra in Lond
and Osvaldo Fresdo and his orches
in Buenos Aires also will be hea
the program closing on the coast w
a talk by Sidney Lanfield, direct
and another song by Miss Healy.

# llen Case,' risco's Best, Pulls $14,000

AN FRANCISCO, June 20.—"Gracie n Murder Case," paired with e Gorilla" at the Paramount to $14,000, best gross of the week. ng Mr. Lincoln" and "Tell No es" drew $13,500 at the Fox. stimated takings for the week end- June 13-16:

**elve Crowded Hours" (RKO)**
OLDEN GATE—(2,850) (35c-40c-55c) 7 . Stage: Vaudeville. Gross: $12,500. (Av- e. $15,000)
**erez" (W. B.)**
. FRANCIS—(1,400) (15c-35c-40c-55c- 7 days, 3rd week. Gross: $6,400. (Aver- $5,000)
**acie Allen Murder Case" (Para.)**
**e Gorilla" (20th-Fox)**
ARAMOUNT—(2,740) (15c-35c-40c-55c- 7 days. Gross: $14,000. (Average, $11,-
**e Mikado" (Univ.)**
NITED ARTISTS—(1,200) (15c-35c-40c- 55c) 7 days, 2nd week. Gross: $6,000. rage, $8,000)
**ung Mr. Lincoln" (20th-Fox)**
**l No Tales" (M-G-M)**
OX—(5,000) (15c-35c-40c-55c-75c) 7 days. s: $13,500. (Average, $16,000)
**e Sun Never Sets" (Univ.)**
**Love of Money" (Univ.)**
RPHEUM—(2,440) (15c-35c-40c-55c) 7 . Gross: $6,800. (Average, $8,000)
**lling Dr. Kildare" (M-G-M)**
**dal Suite" (M-G-M)**
ARFIELD—(2,680) (15c-35c-40c-55c-75c) 7 . Gross: $10,500. (Average, $12,000)
**e Puritan " (Lenaur-Int'l)**
ARKIN—(390) (15c-35c-40c) 7 days. Gross: 0. (Average, $1.000)
**wer Depths" (Mayer-Berstein)**
AY—(400) (15c-35c-40c) 7 days. Gross: Average, $1,000)

## appen' at $12,800 Despite Buffalo Lull

UFFALO, June 20.—"It Could Hap- to You," at the Buffalo, aided by jor Bowes' World's Fair Revue, red $12,800 to lead. It was the bill to do better than average. stimated takings for the week end- June 17:

**Could Happen to You" (20th-Fox)**
UFFALO—(3,000) (30c-55c) 7 days. On e: Major Bowes' World's Fair Revue. ss: $12,800. (Average, $12,000)
**ung Mr. Lincoln" (20th-Fox)**
**asing Danger" (20th-Fox)**
REAT LAKES—(3,000) (30c-50c) 7 days. ss: $6,500. (Average, $7,500)
**l No Tales" (M-G-M)**
**e Jones Family in Hollywood" (20th-Fox)**
IPPODROME—(2,500) (25c-40c) 7 days. ss: $4,200. (Average, $6,800)
**ndercover Doctor" (Para.)**
**nobia" (U. A.)**
ENTURY—(3,000) (25c) 7 days. Gross: 00. (Average, $6,000)
**-Champ" (Univ.)**
**r Love or Money" (Univ.)**
AFAYETTE—(3,300) (25c) 7 days. ss: $5,800. (Average, $6,300)

## roadcasters' Code xplained to Ad Men

Neville Miller, National Association Broadcasters president, presented proposed broadcasters' code before oint session of the American Fed- tion of Advertisers members and adcasters yesterday at the Waldorf. Both sides offered suggestions and ed for a clarification of the various ms. No specific changes in the code re made, but it was agreed that nges deemed necessary should be in writing and forwarded to the A.B. before its convention at At- tic City next month.

n substance, the code closely fol- vs many clauses adopted recently NBC.

# SHORT SUBJECT REVIEWS

### *"Old Glory"*

*(Warner-Schlesinger)*

Prepared with Independence Day programs particularly in mind, but with year-around suitability a basic consideration, this Leon Schlesinger "Merrie Melodie" is a compact and pleasantly palatable lesson in Americanism predicted on Porky's indifference to the pledge of allegiance to the flag and worked out by means of a dream sequence in which Uncle Sam tells the stammering piglet about Patrick Henry, Paul Revere, George Washington and other early Americans who made the country what it is today. A great deal of historical background is adroitly reviewed and Porky finds a new significance in the pledge at picture's end. It's a nice job of cartooning, more serious than most, an excellent short for children and equally appropriate for adults. Running time, 10 mins.

### *"Pictorial, P 8-11"*

*(Paramount)*

Three functions of water, as a historical background, as the basis for industry, and as a playground make up this "Pictorial." A trip down the Thames provides the setting for comment on England's rich history. A second sequence shows an interesting industry, fish farming. Lifeguards in action on Miami Beach wind up the reel. A varied and well-knit travelogue. Running time, 10 mins.

### *"Tempo of Tomorrow"*

*(Paramount)*

Richard Himber and his orchestra provide a melodic interlude. Four songs are offered with a jam session as a climax. Stuart Allen, baritone, and Patricia Gilmore are heard in several vocal numbers. Swing fans should like it. Running time, 10 mins.

### *"For Your Convenience"*

*(Warners)*

A color subject, this interesting short shows a Bowery specialist whose forte is making up black eyes; the packing of a parachute, indicating the care which is essential to its proper functioning; the making of coffee from bean to cup, and the gadgets used by women to attain—or maintain—slimness. Running time, 10 mins.

### *"On the Air"*

*(Warners)*

Leith Stevens and his Saturday Night Swing Club offer a rendition of modern swing music in the setting of a radio studio. Nan Wynn sings, Leslie Lieber performs on a toy whistle and Melvin Allen is the announcer. The "jitterbugs" will like it. Running time, 10 mins.

### *"Polar Pals"*

*(Warners)*

Young Porky, animated pig, is North Pole animal protector, and when the fur trapper arrives with his tommy gun, frightening the animals, Porky gets his gun and makes short work of the intruder. Routine cartoon material, its icy atmosphere should make it a good warm weather bit. Running time, 7 mins.

### *"Jamaica"*

*(Paramount)*

A "Color Cruise" through the West Indian island, Jamaica. The cities, bathing girls, banana plantations, old Spanish forts, and the method of harvesting coconuts are shown. Running time, 10 mins.

### *"Wotta Nitemare"*

*(Fleischer-Paramount)*

Popeye suffers a nightmare and encounters the difficulties that are usually found in dreams. He finds his path blocked by prison bars, his bicycle turns to a snail when he is trying to escape from a steam roller, food disappears when he tries to eat, etc. Even when he reaches for the customary spinach, he discovers carrots and beets instead. Exceptionally well done. Running time, 7 mins.

### *"The Scared Crows"*

*(Fleischer-Paramount)*

Betty Boop and her dog, Pudgy, run into some trouble with crows when they start planting their garden. A scarecrow solves the problem temporarily but the birds return to raid the kitchen. After a scrap, Betty scares them off permanently. A black and white cartoon. Running time, 7 mins.

## *Studio Brevities*

HOLLYWOOD, June 20.—Deanna Durbin and Charles Boyer are leading draws in American films being shown in South America, Pablo Cavallo of Lauteret and Cavalolo, large South American theatre circuit, said here today. He is flying to New Nork.

Formation of a new Hollywood chapter of Radio Writers Guild, affiliated with the Authors League of America, is scheduled to be effected tonight at a meeting to be addressed by Marc Connelly, A.L.A. president.

Warners today suspended for ten days the shooting of "Knight and Lady" because of injuries suffered by Errol Flynn in a motor accident. Fourteen stitches were required to close gashes in face and head.

## *Cowdin Sails Today For London Parley*

J. Cheever Cowdin, Universal board chairman, sails on the *Queen Mary* today for a three or four-week business trip to London. The trip is his usual summer one for conferences with Universal associates in England.

With Nate J. Blumberg, Universal president, at the studio for a visit of indefinite duration, Charles D. Prutzman, vice-president, will be in charge of the home office during the next few weeks.

## *Arbitration Delayed*

Arbitration discussions scheduled Monday between Operators' Local 306 and the I. T. O. A., representing New York independent exhibitors, were postponed until today.

# Chicago Gives Good $12,200 To 'Conquest'

CHICAGO, June 20.—"Man of Conquest" led here with $12,200 at the Roosevelt in a week of poor grosses.

Estimated takings for the week ending June 13-17:

**"Young Mr. Lincoln" (20th-Fox)**
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $6,600. (Average, $6,500)
**"Juarez" (W. B.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $26,800. (Average, $32,000)
**"Confessions of a Nazi Spy" (W. B.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,200. (Average, $6,500)
**"Old Dark House" (Univ. Reissue)**
**"My Man Godfrey" (Univ. Reissue)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $11,000. (Average, $13,000)
**"Bridal Suite" (M-G-M)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $18,600. (Average, $19,000)
**"Man of Conquest" (Rep.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $12,200. (Average, $11,000)
**"King of Chinatown" (Para.)**
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,000. (Average, $12,000)

## 'Juarez' $17,800 Gross in Capital

WASHINGTON, June 20.—Sultry weather kept local grosses low. Only feature to do outstanding business was "Juarez," which took $17,800 at Warners' Earle.

Estimated takings for the week ending June 15:

**"Lucky Night" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Arthur Treacher. Gross: $16,500. (Average, $16,500)
**"The Hardys Ride High" (M-G-M)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days. Gross: $4,300. (Average, $4,500)
**"Rose of Washington Square" (20th-Fox)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days, 2nd week. Gross: $8,700. (Average, $12,000)
**"The Mikado" (Univ.)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. 2nd week. Gross: $6,000. (Average, $6,000)
**"Juarez" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage, vaudeville. Gross: $17,800. (Average, $16,000)
**"Confessions of a Nazi Spy" (W. B.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 7 days, 2nd run. Gross: $3,900. (Average, $4,000)

## *British Open Drive To Fight New Taxes*

LONDON, June 20.—The British film industry today launched a vigorous nationwide drive to combat the new film taxes.

All theatres in the country showed trailers protesting the taxes. The films warn the public that the new taxes will result in fewer pictures, shorter programs and an increase in unemployment. Patrons are asked to address letters to members of Parliament.

A national newspaper advertising campaign along similar lines will be started at once.

## *Warner Outing Today*

Warner Club of home office employes will hold its annual outing and boat ride today. The *Peter Stuyvesant* will carry them to Bear Mountain.

# Para's Studio 'In the Black', Says Balaban

Disclosure that Paramount studio operations are currently in the black highlighted a favorable report on the company's financial position given to stockholders at their annual meeting yesterday by Barney Balaban, president.

Stockholders reelected the 16 directors for one-year terms without a dissenting vote. Directors are: Barney Balaban, Neil F. Agnew, Stephen Callaghan, Harvey D. Gibson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John Hicks, Jr., Edwin L. Weisl, John D. Hertz, Austin C. Keough, Earl I. McClintock, Maurice Newton, E. V. Richards, Adolph Zukor and Y. Frank Freeman.

### Board Meeting Tomorrow

The board is scheduled to meet tomorrow, at which time all officers are expected to be reelected.

There were 2,295,870 shares of all classes of stock, representing about 67 per cent, voted at the meeting. The session progressed smoothly with Balaban presiding, Keough acting as secretary, and Griffis and Weisl the only other company directors sharing the platform. Individual stockholders complimented Balaban individually and the management as a group on the financial condition of the company and its prospects of continued improvement.

### No Theatre Division Losing

Balaban stated in aswer to a stockholder's question that consolidated income is derived about equally from film rentals and theatre admissions. He said that 25 to 30 per cent of the film rentals paid by Paramount theatres is paid for Paramount pictures. No Paramount theatre division is losing money, he said.

In answer to another question Balaban said that Paramount had no intention of voluntarily divesting itself of its affiliated theatres and pointed out that the company was fighting the Government anti-trust suit which has the separation of exhibition as one of its major objectives.

He said that only about $300,000 cash was involved in acquisition of the new west coast studio property, that the new studio will be built in units over a period of years and that no new financing is involved in the development.

### Operating Now at Profit

Balaban reported that heavy commitments and inventories undertaken by the studio in 1937 in anticipation of continued improvement in business have been fully liquidated and that the studio currently is operating at a profit. He added that earnings of the parent company for the current quarter are running substantially ahead of earnings for the corresponding quarter last year.

Stockholders were told that a term loan of 3½ per cent is being arranged for the retirement of the last $1,935,000 of Paramount's six per cent debentures outstanding. Earnings of $4,106,000 for 1938 and $1,300,000 for the first quarter of the current year were reported earlier.

Foreign revenue has been "substantially maintained" despite obstacles in several important world markets, the meeting was told. Paramount allocates only 15 per cent of the cost of each negative to the foreign market and this amount is written off in 15 months following release of the picture in the United States. No credit is given to subsidiaries operating in foreign countries where exchange restrictions exist unless American dollars are actually received therefrom.

# BANNER LINES

## By JACK BANNER

**RADIO SHY OF FAIR** . . . New York's local stations a number of weeks ago raised such a cry about the treatment they were receiving at the World's Fair that the management of the "World of Tomorrow" arranged a special "local network" to facilitate pick-ups from the Fair grounds. We have just learned of the dissolution of the special network by Fair edict, because the stations did not take advantage of the special facilities. As a further straw in the wind about how the stations feel about the Fair, there are less than 60 programs a week coming from the Fair grounds. Of this total, however, more than 25 are being carried by Municipal station WNYC. Latter is in to the hilt because it feels that as a Municipal station, it should boost Gotham's greatest event. Another explanation is that WNYC is the only local station which does not have to pay a special fee to the music union for tune pick-ups.

▼

**STAGE PLAYERS GROUP JOINS RADIO** . . . For the second time, a legitimate theatre group has joined forces with radio. Orson Wells broke precedent when he brought his Mercury Players to CBS last year, and now, according to well-founded report, the Group Theatre has signed a long term contract to appear on Kate Smith's program throughout next year. The Group players made five or six guest appearances on the Smith show the current season, resulting in the deal for next year.

▼

**JOHNSTONE AT IT AGAIN** . . . Johnny Johnstone, WOR's director of news and publicity who is now on the new Cunard liner *Mauretania*, broadcast from mid-ocean yesterday, and after giving an excellent and colorful account of what was transpiring, signed off by saying "and this is Johnny Johnstone speaking to you from the *Aquitania*." It wasn't so long ago that Johnny came on the air and said, "good evening, ladies and Johnstone." But everyone loves Johnny nevertheless.

▼

**SUGGESTION TO NBC** . . . NBC still is at it trying to line up a sponsor for the Joe Louis-Tony Galento fight. It is our idea that they try to sell the broadcast to Bristol-Meyers Co., for two specific products of that company. Vitalis, whose slogan is "the 60 second rub," is one likely customer. The other is "Minute Rub."

▼

**KENNY'S PROGRAM MOST POPULAR** . . . Nick Kenny's children's show on WMCA and the Inter-City network is that medium's most popular daytime feature, a survey proves. The *Mirror's* radio editor has been conducting the feature for the past eight years.

▼

**L. B. WILSON'S GREAT STUNT** . . . More than 300 newspapers in Ohio, Kentucky and Indiana are giving page one lead stories to WCKY, Cincinnati, as the result of Manager L. B. Wilson's smart promotion in inviting newspaper men to stage a WCKY broadcast honoring the home town. Programs are to start next week, and will run through October.

▼

**COOPERATION** . . . Ralph Brewster of the Paul Whiteman "Modernaires" has to undergo a tonsilectomy this week, and Joe McMichaels of the Merry Macs is taking care of the emergency by stepping into Brewster's place for the Whiteman broadcast.

▼

**PERSONALS** . . . Wendell Williams, who was sent to Hollywood by NBC as continuity editor following the Mae West fiasco, is in town to be married. . . . Tim Marks of the Earl Ferris office is back at work following two weeks' vacation at Virginia Beach. . . . Bob Hawk of Mutual flies to Bermuda today on a Clipper to vacation. . . . Stella Unger, who recently resigned as head of the radio department at Erwin Wasey, has been signed by Conde Nast to do a series of Hollywood stories for Glamour Magazine. . . . Jackie Osterman, before his death, collaborated with Irving Strouse in writing a screen scenario, and it is now being handled by Mark Hanna's office. . . . Dick McKnight, formerly writer for Joe Penner and Doc Rockwell, to Chicago yesterday where he will write the Sunbrite program scripts.

▼

**NEW AYER DIRECTORS** . . . Five new directors have been named at N. W. Ayer & Son advertising agency. The new directors are Thurman L. Barnard, George W. Cecil, John Hansel, Paul L. Lewis and Frank L. Scott, Jr. In addition to the five new board members, William M. Armistead, Clarence L. Jordan, Adam Kessler, Jr., Gerald M. M. Lauck, and President H. A. Batten have been re-elected directors.

# *Big Drive to Boost Korda's 'Feathers'*

Special advertising and exploitation campaigns have been prepared for Alexander Korda's "Four Feathers" by United Artists. Plans include a $100,000 newspaper campaign budget in addition to full color pages in *Life*, *Look* and *American Weekly*. An exploitation staff of 40 men will be assigned to the first key city engagements of the picture by United Artists.

# Film Leaders Attend Frey's Burial Rite

About 600 mourners paid final
spects to Isidor Frey, assistant g
eral counsel of Loew's, at servi
yesterday afternoon at Riverside
morial Chapel, 67th St. and Am
dam Ave. Frey died Sunday.
In the gathering were manv exe
tives of Loew's and other busin
associates, relatives and friends. T
Rev. Dr. Jonah B. Wise, rabbi
Central Synagogue, delivered
eulogy. Burial was at Mt. Carn
Cemetery in Queens.

Among Loew executives attendi
the services were Nicholas M. Schen
president; J. Robert Rubin, Da
Bernstein, Leopold Friedman, C.
Moskowitz, Joseph R. Vogel, E
Goetz, Benjamin Thau, Arthur Lo
Oscar A. Doob, Mort Spring, Mar
Schenck, Dave Blum, Sam Meinho
Harry Moskowitz, Lester Isaacs, G
Meyer, William F. Rodgers, T
Connors, Ed Saunders, Si Seadl
Harry Bernstein, Gene Picker, C.
Stern and Charles Sonin.

Others were: Herman Robbi
Archie Weltman, Sam Braunbe
Ernest Emerling, William Orr, V.
Gonzales, George Dembow, Lou Ast
William Brandt, Ed Hatrick, Willi
Klein, Mrs. David Bernstein, M
Mort Spring, Al Rosen, Ted O'Sh
B. S. Moss, Charles Moss, Ma
Hammerstein, William Jaffe, S
Rodgers, Joseph Moskowitz, M
Gene Meyer, Joe Pincus, Art
Herschmann, Dr. Morris Senft,
Senft, Irving Snyder, Harry Karas
Seymour Mayer, Dominic Barre
Morrie Seidlitz, Gene Ford, Laure
Beatus, Irving Greenfield, John M
phy, Max Wolff, Tom Gerety, H
Pettey, Arthur Moskowitz, Mr. a
Mrs. Jacob Rosenheim, D. O. Deck
Joel Levy, Sidney Phillips, Mel H
mann, Ben Simon, Charles Moses, I
Cameron, Al Bernstein, Mel Morg
stern and Jay Eisenberg.

Charles Lipsett, president of
Milburn Country Club, to which F
belonged, and many members atten
the services.

# *Ben N. Berinstein's Burial Rites Tod*

Los Angeles, June 20.—Fune
services will be held tomorrow
Home of Peace Memorial Chapel
Ben N. Berinstein, 53, veteran sou
ern California exhibitor, who d
yesterday. He had been ill for a lo
time.

Berinstein, who was born in Rus
and came to Los Angeles 25 ye
ago, was a former president of
M.P.T.O. of Southern California
fore its affiliation with the I.T.O.
Southern California. He was at
time president of the I.T.O.

Surviving are his widow, Si
Berinstein, a daughter, Federicka, a
a son, Paul.

# *Warners Buffalo Deal*

Warners have closed a 1939-'40 d
with Shea's Publix Theatres, Buffa
whereby the product will play the c
cuit's first and subsequent runs
Buffalo and first run in Niagara Fa
Roy Haines, eastern sales manag
acted for Warners and Vinc
McFaul for Shea.

DO NOT REMOVE

lert,
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

# MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

OI. 45. NO. 120 NEW YORK, THURSDAY, JUNE 22, 1939 TEN CENTS

# 21,000,000 KO Budget On New Films

### 0 Salesmen Will Frolic at Fair Today

roduction investment in RKO's season product will run to a minim of $21,000,000, it was stated yesday at the closing business session the company's international sales vention at estchester ntry Club, e.

he figure resents an roximate inase of $6,- ,000 over the regate cost current sea-'s product.

he comy's 52 feaes will be d in six price isions.

George J. Schaefer

eorge J. aefer, RKO sident, said that no decision has n made yet on the designation of a cessor to Pandro Berman, who res as studio head next Fall, but that appointment will be made in two three months. Schaefer scoffed at orts that he would establish headrters at the studio.

he RKO president emphasized the company is as staunch a supter of the industry trade practice e as ever, despite the fact that it been rejected by Allied States. said distribution companies would ceed with the program in the hope ultimately attaining something ch would bring the various nches of the industry together.

ules Levy, general sales manager, ounced the creation of a new sales rict and several promotions as a sequence of the added territory. new district will consist of the neapolis, Omaha, Des Moines and ux Falls, S. D., exchanges. L. E. dhammer, former Minneapolis ch manager, has been appointed ager of the new district. C. J. ssel, Omaha branch manager, has made manager at Minneapolis, eeding Goldhammer, and R. F. ner, formerly Minneapolis sales-, has been made Omaha branch ager.

esterday's session closed with indual district and branch managers' tings, presided over by E. L. Mc-

(Continued on page 2)

# Kuykendall Gives Views; U. S. Hears Brandt on July 18

WASHINGTON, June 21.—Ed Kuykendall, president of the M.P.T.O.A., today gave Department of Commerce officials his views on the major economic problems confronting the motion picture industry.

Kuykendall, unaccompanied by a delegation from his organization, is the first exhibitor to meet with the Commerce department at the invitation of Secretary Harry Hopkins.

National Allied, also invited to Washington to express its attitude on important problems involving the film industry, is expected to send delegates here early next month.

Department officials, following the Kuykendall meeting, declined to reveal the nature of the discussions, but said that they followed "general lines," largely covered in the recent Hopkins conference with producers.

Secretary Hopkins is awaiting a reply to his invitation to independent producers in Hollywood to come East for a conference.

The invitation was sent by Dr. Willard L. Thorp, special assistant to the Secretary, to I. E. Chadwick, president of Independent Motion Picture Producers Association.

Hopkins asked Chadwick, if he cannot make the trip, to express his views in writing.

A conference is scheduled July 18 in Washington with Harry Brandt, president of the New York I.T.O.A., and a committee of three members.

Brandt yesterday accepted Hopkins' invitation to confer with him and other department officials. The delegation will present the independent exhibitors' viewpoint.

# BRITAIN ABANDONS NEW FILM TAXES

### Senate Postpones Action on Neely Bill

**Washington, June 21.—Due to the pressing need of considering other bills of far greater importance, the Neely bill had to be postponed today in the Senate. The film measure may not reach the Senate floor until early next month, it was indicated.**

# Air Writers Form Los Angeles Guild

HOLLYWOOD, June 21.—Los Angeles Radio Writers' Guild, an affiliate of the Authors League of America, was organized last night, with temporary officers elected and a constitution adopted. About 60 writers, including members of the American Federation of Radio Actors, attended.

Talks were made by Marc Connelly, president of the A.L.A., and Charles Brackett and Dudley Nichols of the Screen Writers Guild.

Preliminary lines of organization were drawn and Forrest Barnes was named temporary president. Selected as council members were Lindsay McHarrie, John Boylan, Hector Chevigny, Betty Stella, Mel Williams, Don Clark, True Boardman, John Slot, David Taylor and Noreen Gammil.

Twenty-five members of A.F.R.A. signed a petition to resign as writer members of that organization, provided approval is given by the national A.F.R.A. board.

### Exhibitors Hail Victory; Chancellor's Decision Comes as Surprise

LONDON, June 21.—Complete abolition of the new excise tax on films and a corresponding adjustment of customs duties was announced in the House of Commons today by Sir John Simon, Chancellor of the Exchequer.

The industry received the news with great relief, coming as a surprise on the eve of a meeting of the Budget Committee of Commons, and on the heels of the opening of the industry's film and newspaper campaign against the tax.

It is generally believed in informed Government circles that the Government waited for action by the trade before reaching its decision, and interpreted the industry's protest campaign as a determination to make a political issue of the matter.

The statement of Sir John Simon in Commons today said:

"On close examination of the operation of the proposed tax on cinematograph film and especially of the different circumstances in which the excise duty would have to be applied, the Chancellor has reached the conclusion that that portion of his proposal

(Continued on page 8)

# AFA Probed by Dewey; 'Rump' Meeting Monday

District Attorney Thomas E. Dewey has stepped into the investigation of American Federation of Actors and has subpoenaed the report of the accountant and investigating committee of Associated Actors and Artistes of America, it was learned yesterday.

Meanwhile, the "Ferrets," an opposition group within the A.F.A., called a midnight meeting for Monday to discuss grievances. The meeting place has not been set.

Principal complaint against the union's officialdom is the failure to enforce proper conditions at the World's Fair. Methods used by the union's organizers and alleged lack of democratic control of the union are reported to be other sore spots with many members.

The Dewey investigation is principally concerned with the committee's charge that $12,997 which was received from the Theatre Authority was used in part for general union purposes instead of relief for needy actors. These funds were raised at tax free benefits.

Ralph Whitehead, A.F.A. executive secretary, has answered this charge with the declaration that the funds had been "earmarked" for relief.

# Broadway Gains Noted in Grosses

Aided by unsettled weather over the weekend, this week's grosses showed a slight upturn. Openings set today are "Good Girls Go to Paris" at the Music Hall and "Maisie" at the Capitol. Tomorrow, "Daughters Courageous" goes into the Strand and "Susannah of the Mounties" starts at the Roxy.

"Invitation to Happiness" grossed an estimated $32,000 in its second week at the Paramount. "Man About Town" opens there next Wednesday. At the Music Hall, "Clouds Over Europe" drew an estimated $75,000. In eight days at the Capitol, "Tarzan Finds a Son" brought an estimated $26,000.

"Stolen Life" grossed an estimated $12,000 at the Rivoli and is held. "Jamaica Inn" is next there. "Goodbye, Mr. Chips" is still strong at the Astor with an estimated $14,000 in its fifth week. "Missing Daughters" drew an estimated $4,500 at the Globe.

# Federal Trial Of B.&K. Suit Starts Today

Chicago, June 21.—The U. S. government's suit against Balaban and Katz and the majors for violation of the consent decree gets underway tomorrow.

Circuit and exchange officials have been subpoenaed to testify, but it is unlikely that they will take the witness stand tomorrow.

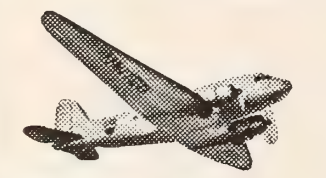
Assistant U. S. District Attorney Robert Wright is expected to review the complaint before Master in Chancery Edgar Eldredge. Indications are that this will require most of the opening day.

An explanation of the Chicago clearance system and descriptive terms used in film business will be brought to the Master's attention.

Answer to the defendants' motions in the case of Frank Ford versus Balaban and Katz and the majors was filed today by the plaintiff's attorney, Lewis F. Jacobson.

## *Bank Night Illegal, Wisconsin Ruling*

Milwaukee, June 21.—Although refusing to issue a temporary injunction against the LaCrosse Theatres Co. restraining it from holding Bank Night, the Wisconsin Supreme Court today ruled that the game is a lottery and that it violates the state's criminal laws. The decision held that lower courts have the right to abate Bank Night as a public nuisance by issuing injunctions.



UNITED
TO CHICAGO
Only 4 hrs. 35 min.
★
shortest
AIR ROUTE
★
fastest
AVERAGE SERVICE
★
famous
MAINLINERS
★
NON-STOPS:
THE '12:15' THE '3:15'
THE '5:15'*
Call United, travel agents, hotels. (*E.S.T.)
UNITED
AIR LINES
58 E. 42nd St. MU-2-7300

# *Purely Personal*

Stanton Griffis, Barney Balaban, Austin Keough, Edwin Weisl and Ralph W. Crocker lunching at Sardi's.

Rudolph Kneuer, assistant sales manager of International Projector Corp., and president of the International Fishing Club, will take 50 club members who are company employes on an annual fishing trip to Montauk Point on Saturday.

Robert Tallman, former assistant editor of the "March of Time" radio program, has been signed by Walter Wanger to collaborate with John Lay on the screenplay of "Send Another Coffin."

Dorothy Lamour left New York for Waukegan, Ill., last night to participate in the world premiere of Jack Benny's Paramount film, "Man About Town," there on Sunday night.

Louis Davidson of the 20th Century-Fox publicity department has sold a series of fiction stories to the N. Y. Daily News-Chicago Tribune Syndicate.

Arthur E. Meyer, general sales manager of International Projector, has left on a week's visit to New England branches of National Theatre Supply.

Norman Bede Rydge, managing director of Greater Union Theatres, Australia, sailed today for home on the *Mariposa* from Los Angeles.

Henry Danziger, of the Film Board of Trade, returned to his desk yesterday after having been out for several weeks for an operation.

Larry Kent, Fox West Coast chief booker, is here from Los Angeles in connection with film deals.

Alexander Hall, director of "Good Girls Go to Paris," will attend the premiere of the film at the Music Hall this evening.

Jake Wilk, Warners story editor, is conferring on the Coast regarding story properties.

George Weber, M-G-M checking supervisor, is on a tour of exchanges.

Joseph R. Vogel, Loew theatre executive, is due back from Toronto today.

Harry Cohn, Columbia president, is in town, planning to return to the Coast next week.

Julio Molina Font and Manuel Peon B., co-producers of Mujeres y Toros," Mexican feature, gave a luncheon yesterday at Fornos Restaurant in honor of H. Alban-Mestanza, editor of *Teatro al Día*. Other guests were Fernando Mier, F. Alvarez Goto, F. Garcia Ortega, Francisco J. Ariza and Ray Gallo.

Violet Dubinsky, sister of the Dubinsky Brothers, who operate the Dubinsky circuit, and herself associated with the operation of the theatre group for some years, and Max Hoffman, Kansas City, were married there Tuesday.

Ed Ruiz Toledo of the United Theatre, San Juan, Porto Rico, was a visitor yesterday at the RKO World's Fair lounge.

Alice Gorham, publicity director for Trendle-Paramount theatres in Detroit, is vacationing here.

Max Gordon is due Monday from the coast.

## *Film on Royal Visit Is Ready in Canada*

Montreal, June 21.—"Royal Banners Over Ottawa," color film of the two-day visit of the King and Queen to the Canadian capital, will be released here immediately by Associated Screen News.

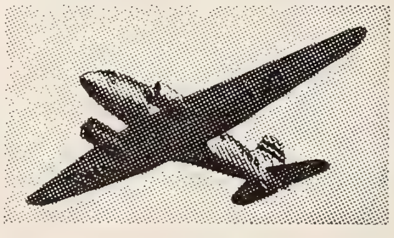
Gordon Sparling, who directed, took the film to London for processing and previewing by the Canadian High Commissioner. It was flown back to Canada on the *Yankee Clipper*.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

## *I. T. O. A. Will Hear Insurance Report*

Insurance committee of the I.T.O.A. has held a series of meetings on a proposal that New York independent exhibitors form a self insurance organization with a view to substantial economies. The committee, of which Otto Lederer is chairman, will report to the membership at a meeting next Wednesday at the Astor.

COMMUTER AIR SERVICE!
TO CHICAGO
4 HRS. 35 MIN.!



Now—8 Fast Flights a Day!
Now there's a fast TWA flight to Chicago anv time you want to go! TWA's new, frequent, convenient departures *actually make it possible for you to commute bv air to Chicago!*
TWA's *Nonstop* "Sky Chief" leaves 5:30 p.m. . . . puts you in Chicago 9:05 that night! Also *Nonstop* "Gold Coaster." Leaves 4 p.m. 6 other flights! $44.95
*10% Discount on Round Trips!*
Schedules Shown are Standard Time
Phone Travel Agent or MU 6-1640
Transcontinental & Western Air, Inc.
70 E. 42nd St.—Air Desk, Penn. Station
TWA
SHORTEST, FASTEST COAST-TO-COAST

# $21,000,000 RKO Budget On New Film

(*Continued from page* 1)

Evoy, eastern and Canadian divis manager, and Cresson E. Smith, we ern and southern division man Schaefer informally addressed managers and also spoke at a separ meeting of foreign department rep sentatives. Harry Michalson, sh subject sales manager, also addres the closing session.

### At World's Fair Today

Gifts were presented to A. A. Sc bart, manager of exchange operatic and M. G. Poller, head of the playd department, on behalf of the conv tion for their work on arrangeme for the meeting.

The 300 sales delegates will given free rein at the New Y World's Fair all day today. R Pathe News will be host at a cock party at the Romanian Pavilion evening, which will be followed b company dinner at the French Pa ion and a visit to the Aquacade la

Last night the delegates dined the Tavern and attended the reg performance of "Abe Lincoln in I nois."

## *Miles Again Heads Goldwyn's Publici*

Hollywood, June 21.—John Pe Miles, who resigned two months as publicity director for Samuel G wyn Productions, but retained a in the department on special assi ments, will continue as departm head.

Miles resumed the post of publi director following the resignation Gregory Dickson two weeks ago.

## *Para. Will Answer Stockholders Su*

Application of Paramount Pict Corp. to dismiss the $25,000,000 sto holders suit of Frank Jablow and S Acker in the U. S. District Court lack of jurisdiction was withdra yesterday. Paramount is expected file its answer to the suit today. S charges waste and mismanagem against Paramount officials.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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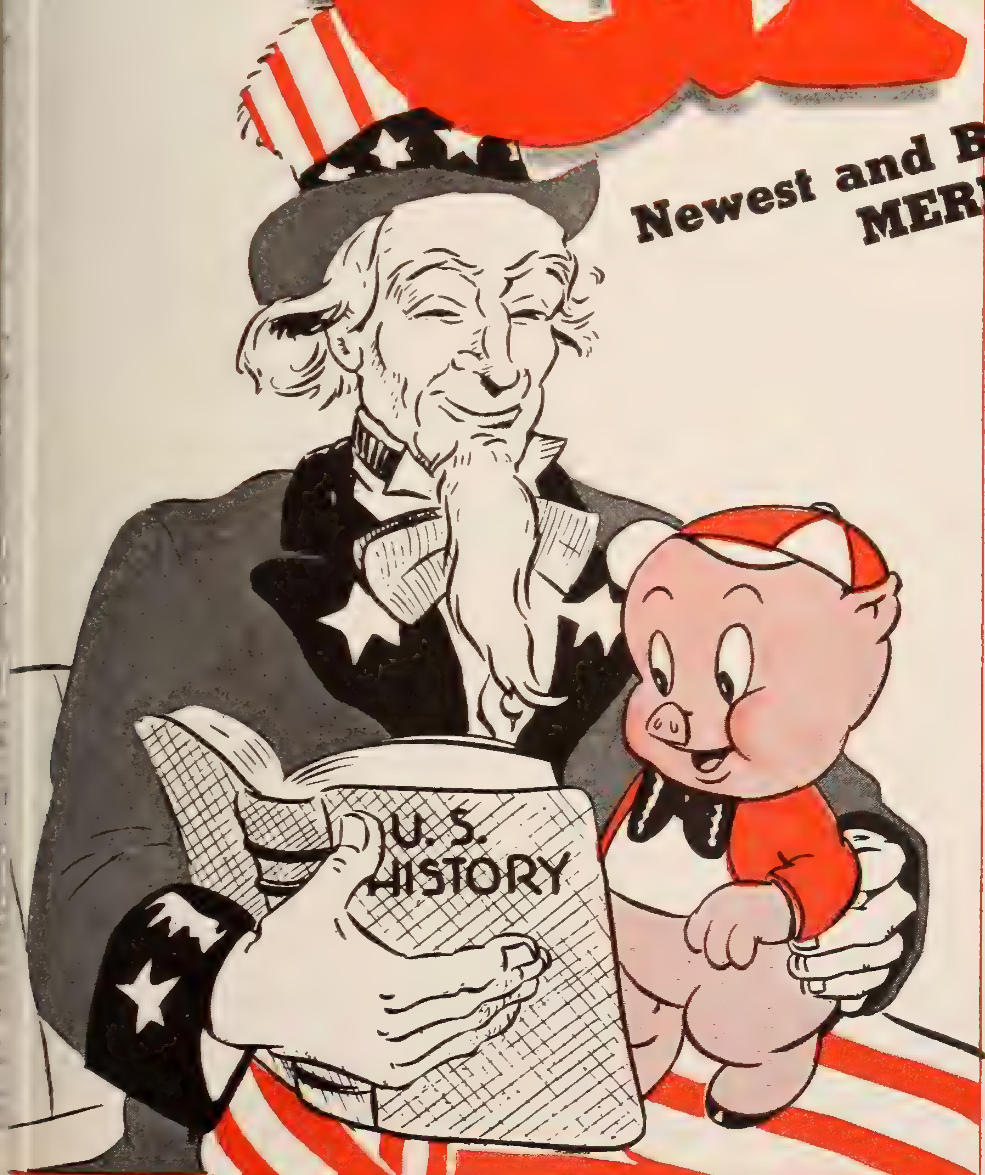
# OH SAY, CAN YOU SEE

# Old Glory

his proves it again! The ig new ideas in cartoon- aking today are by

**Leon Schlesinger**

**Newest and Best of the Technicolor MERRIE MELODIES**



A Leon Schlesinger Production

## See it the minute you can!...You'll demand to see it on your marquee!

There's never been a cartoon subject like it. An extra-length super-special added attraction *at no extra cost*...Put your call in today for the Vitaphone Booker—he's got prints available starting JULY 4th at the fair and square

**WARNER BROS.**

*Exchange*

# Theatres Push Cleanup Drive In Kansas City

KANSAS CITY, June 21.—At a meeting called by E. C. Rhoden, head of Fox Midwest Theatres, Inc., exhibitors and film men agreed to back the Forward Kansas City Committee, an organization whose purpose is to clean up the city. The motion picture industry here will aid with publicity, which probably will include use of trailers.

Rhoden is chairman of the motion picture committee of the movement. Other members are W. E. Truog, United Artists; Jay Means, Oak Park; W. H. Hendren, Jr., United Film Ad Service; E. S. Young, Central; Arthur Cole, Paramount; Sam Abend, Film Delivery; John Wolfberg, Strand and Mokan; C. H. Potter, Admiral, Baltis and Murray; Reuben Finkelstein, Byam and Belmont; Mrs. Abe Baier, Lindbergh, and Ben Achtenberg, attorney, who is one of the owners of the Regent.

## Altec in Reciprocal Plan on Servicing

Altec Service Corp. has prepared a plan for the reciprocal interchange of technical information pertaining to sound reproducing servicing with organizations in foreign countries, according to G. L. Carrington, vice-president and general manager of Altec.

Carrington pointed out that the plan will enable foreign equipment and service companies to avail themselves of American technical skill, thus benefiting American films abroad, and American theatres will benefit by the technical experience in foreign service problems.

## Fine 3 in Montreal On Child Admissions

MONTREAL, June 21.—Three local theatre operators were fined $10 and costs today by Recorder Amedee Thouin for admitting children under 16 to performances of "Snow White and the Seven Dwarfs" last September.

Thus 12 of 125 similar cases now before the courts are disposed of. Defendants pleaded that newspapers had indicated the law would be relaxed for the showing of "Snow White," but the court ruled such publication did not nullify the law.

## Goodwill

**Hollywood, June 21.—Eleven German newspapermen, in this country on a goodwill mission for the Nazis, toured the M-G-M studio yesterday.**

**Leaders of the group were Carl Cranz, Heinz Beller, director of the German Library of Information in New York; Dr. Perter Winkelnkemper, Erich Scheyder. Cranz, Winkelnkemper and Scheyder are editors of important Nazi papers in Germany.**

# Insider's Outlook

By SAM SHAIN

THERE were less than 100 shareholders in attendance at the annual meeting of Paramount the other day. In 1937, there were perhaps four times as many. This lesser attendance bespeaks the growing confidence in the company's management under Barney Balaban. It is when stockholders are dissatisfied that they go in droves to such sessions. This year's meeting was unusual in that even the two or three stockholders who came to agitate remained to applaud. No greater commendation can be accorded any executive than that which was given to Barney Balaban, who conducted the meeting with skill and tact. Certainly, his star is rising.

PERHAPS the greatest record of association between a film company and an advertising representative is that which is enjoyed by Jack Pegler of the Lord and Thomas Agency. His association with RKO ranges over a period of 10 years. In that time he has attended nine of the company's annual sales conventions. The reason that he did not attend 10 meetings is that in those 10 years only nine were held.

THE matter of an institutional drive by the industry was proffered and tabled at a recent meeting of business leaders. That does not mean that the idea has been turned down, as we take it, but that definite action has been put off for the time being.

FROM Washington comes word that administration leaders who are acquainted with the situation believe constructive and advantageous results will come out of the industry meetings with Secretary of Commerce Harry Hopkins. We feel that such meetings could not have taken place without the prior knowledge and perhaps even the consent of President Franklin D. Roosevelt and Attorney General Frank Murphy. As a matter of fact, Attorney General Murphy was reported in the press as having indicated that the Department of Commerce conferences with industry chieftains were inaugurated only after the Department of Justice had been consulted.

THERE is an Italian restaurant on West 47th St. known as Del Pezzo. It is a good restaurant. The place has one favorite customer. He goes there only occasionally because he is not always in the city. He may not have visited the place for a year or two, but every time he goes he gets the greatest attention from the entire service staff and the owner. He is Ben Piazza, presently in New York from California.

PARAMOUNT plans a testimonial to Gus Edwards in connection with the picture, "The Star Maker," which is based on a story inspired by Edwards' career. The date has not yet been revealed but the testimonial will be held in New York. Eddie Cantor probably will be master of ceremonies.

UNUSUAL indeed is the World's Fair influence on Broadway. It is not enough that the Flushing show has drawn the cream of Broadway's amusement patronage away from the Main Stem, but now to attract the swarm of Fair visitors Broadway is shaping to a curious mid-way, the like of which the old Broadway could never have envisioned.

Bob Ripley is opening an "Oddities," and that block on West 50th Street, between 7th and 6th Avenues, with its bus terminals, parking spaces and small popcorn and candy shops and novelty stores will soon resemble, in miniature, any resort boardwalk.

CECIL DE MILLE has named M. A. Mulligan of Toronto as his agent in discussions with officers of the Canadian Government for the production of a picture on the history of Canada, and of which the Royal Mounted police will be an integral part.

EIGHT Canadian newsreel cameramen received the personal commendation of the British King and Queen at the conclusion of their tour. These cameramen were "mentioned in dispatches." They were Roy Tash, D. Harrison, Walter Darling, Lucien Roy, Norman Hull, Ross Beasley, Arnold Hague, and Harvey Bassett, employes of the Associated Screen News and the Canadian Government Motion Picture Bureau.

## Meridian Dissolved

N. Y. Supreme Court Justice Hammer yesterday ordered dissolution of Meridian Pictures Corp. upon application of its officers. Decision followed a report of Referee McDonough that the company, with liabilities of $56,768 and assets of $119, was hopelessly insolvent.

## Renews Plaza Lease

Leo Brecher, who has operated the Plaza theatre on E. 58th St. since 1925 and who founded the original Plaza on Madison Ave., where he introduced pictures on New York's fashionable East Side, yesterday announced he had renewed the lease on his present site for 20 years.

# Cuba Official
# Attend 'Spy'
# Ban May Lif

HAVANA, June 21.—Warners' "Co
fessions of a Nazi Spy" was screen
today for the President of Cuba, Se
retary of Interior and the Ame
ambassador following suspension
the film last night after its openi
to a large crowd and favorable r
views.

It is understood the Cuban cens
board stopped further showings of t
film upon instructions from the Pre
dent who is understood to have had
protest from the German ambassad
At a late hour tonight no wo
of decision of today's official executi
inspection of the film had been a
nounced.

## 5 Units Absorb Half
## Local 37 Membe

HOLLYWOOD, June 21.—Half of t
approximately 6,000 members of Lo
37, involved in a jurisdictional fight
Los Angeles Superior Court, ha
been absorbed in five new units
tablished by the I.A.T.S.E. The
maining half are expected to be a
sorbed in the near future.

The registration of Local 37 me
bers in the five new units followed t
dissolving of the studio union by t
I.A. some time ago.

## Next Pascal Picture
## Is 'Major Barbar

Gabriel Pascal, British produc
who has the film rights to Geor
Bernard Shaw's plays, plans "Maj
Barbara" as his next picture, to
made at Pinewood studio. Pasc
sailed yesterday on the *Queen Ma*
to start the film. In the spring
plans to make "Doctor's Dilemma."
Accompanying him were Vict
Orsatti, Hollywood agent, who is g
ing over to assist in working out
release, and Marion Baldwin of t
Orsatti office.

## 'Juarez' in Mexico

MEXICO CITY, June 21.—T
premiere of Warners "Juarez" will
held here tomorrow night with hi
government dignitaries attending a
the event being broadcast over sh
and long wave hookups to reach Ce
tral and South America.

## George and Ray!

**Lou Lifton, Monogram advertising and publicity chief, prepared a large photo of W. Ray Johnston, president, shaking hands with King George of England with Queen Elizabeth standing by.**

**The photo was placed in Johnston's cabin on the *Queen Mary* before he sailed yesterday for England.**

**When the English steward spied the composite montage, he exclaimed: "My word!"**

**Johnston expects to get all sorts of attention on his trip, once the word gets around that he and the King are "like that."**

# Juarez' a Hit With $40,000, Los Angeles

os Angeles, June 21.—"Juarez" a real hit here, taking a total of 00 at two houses, $19,500 at the ner Hollywood and $20,500 at the ner Downtown. Otherwise busi- s was off, except "Goodbye, Mr. ps," which scored $6,200 in its week at the 4 Star.

stimated takings for the week end- une 21:

**aisie" (M-G-M)**
**lling Dr. Kildaire" (M-G-M)**
HINESE—(2,500) (30c-$1.00) 7 days. $10,400. (Average, $12,500)
**odbye Mr. Chips" (M-G-M)**
STAR—(900) (40c-50c) 7 days, 5th week. : $6,200. (Average, $3,250)
**ve Came Back" (RKO)**
**ker Dugan" (RKO)**
ILLSTREET—(2,700) (30c-65c) 7 days. ss: $6,200. (Average, $6,500)
**aisie" (M-G-M)**
**lling Dr. Kildaire" (M-G-M)**
OEW'S STATE—(2,500) (30c-$1.00) 7 s. Gross: $11,600. (Average, $14,000)
**ve Came Back" (RKO)**
**e Girl from Mexico" (RKO)**
ANTAGES—(3,000) (30c-65c) 7 days. ss: $5,800. (Average, $7,000)
**vitation to Happiness" (Para.)**
ARAMOUNT—(3,595) (30c-65c) 7 days, week. Stage: F. & M. revue, Don e. Gross: $12,000. (Average, $18,000)
**arez" (W. B.)**
ARNER BROS. (HOLLYWOOD)— 00) (30c-65c) 7 days. Gross: $19,500. erage, $14,000)
**arez" (W. B.)**
ARNER BROS. (DOWNTOWN)— 00) (30c-65c) 7 days. Gross: $20,500. erage, $12,000)

## hurches Offer New ompetition in Cincy

incinnati, June 21.—Although ngo continues to be a highly com- itive factor for theatres, a new rce of competition has sprung up ong churches here, some of which are conducting "True or False" tests, with prizes equalling those red at Bingo parties.

ity officials are taking steps to ulate the contests by imposing the ne restrictions which govern Bingo.

## Set New Haven Meet

ew Haven, June 21.—Invitations all independents in the territory e gone out to attend an indepen- t exhibitor rally and luncheon at Hofbrau Haus here June 27. Ex- itors are invited to discuss busi- s problems and relations with ex- nges. The invitation came from L. Schuman of the Black Rock, idgeport; Maurice Shulman of the oli and Webster, Hartford, presi- t of Allied of Connecticut, Harry Lavietes of the Pequot, New Ha- ; Morris Bailey of the Whalley, w Haven; Adolph G. Johnson of Strand, Hamden, and Dr. J. B. hman of Fishman Theatres.

## apitol Books Features

ext nine features to follow "Tar- Finds a Son" have been set for Capitol. They are "Maisie," tronger Than Desire," "On Bor- wed Time," "Andy Hardy Gets ring Fever," "Miracles for Sale," ady of the Tropics," "A Day at the cus," "The Women" and "Babes Arms."

# Theatre, Personnel Notes

### Lease to Fox Midwest

Kansas City, June 21.—Fox Midwest has taken a 10-year lease on the Isis, which burned down this spring. The theatre is being completely rebuilt and re-equipped, at a cost of about $200,000. It will seat 1,800 persons. Opening is scheduled for early fall.

### Harttmann Buys Three

Kansas City, June 21.—George Harttmann, who operates in Kansas and Missouri, has taken over the Plaza and Little Plaza at Lamar, Mo., and the Plaza at Greenfield, Mo., from A. J. Simmons, who is temporarily retiring from the show business.

### Renovate Bridgeport House

Bridgeport, Conn., June 21.—Jack Schwartz, operator of the West End, will renovate the 700-seat house, installing air-conditioning and new equipment.

### Republic Names Newmann

Albany, June 21.—Arthur Newmann, special representative for Republic here, has been appointed branch manager. He will take over his duties on Aug. 1, when the present Berkowitz-Mills franchise expires.

### Takes Kansas House

Johnson, Kan., June 21.—P. D. Hogue has taken over the Bell here from Forrest Walker.

### Reopening in Kansas

Virgil, Kan., June 21.—Richard Fryer is reopening the long-dark Virgil here, shortly. Fryer also has the Grove, Grove, Okla.

### Open Airdrome July 1

Middletown, Conn., June 21.—Opening date of Sal Adorno's new 750-seat airdrome, to be called the College, is scheduled for July 1.

# Hollywood Notes

Hollywood, June 21.—M-G-M will star Wallace Beery in "Twenty Mule Team," story of the transportation of borax across the deserts. J. Walter Ruben will produce. . . . Mark Sandrich, who directed Jack Benny in "Man About Town," has been signed by Paramount to produce and direct "Buck Benny Rides Again," the comedian's next. Eddie "Rochester" Anderson will be featured. Sandrich has been signed to a new contract. . . . Warners has set Crane Wilbur to writing a script based on the life of Edgar Allen Poe, who will be portrayed by Claude Rains.

M-G-M has lent James Stewart to Warners for "And It All Came True," with Ann Sheridan and Humphrey Bogart. However, Stewart first goes to Universal to make "Destry Rides Again," Joe Pasternak production at one time called "The Man from Montana." . . . Paramount's mystery picture, "Dr. Cyclops," has started shooting in color. Cast thus far includes Albert Dekker, Janice Logan, Tom Coley, Charles Halton and Victor Kilian. Ernest Schoedsack is directing the Dale Van Every production.

Sally Eilers draws the feminine lead in RKO's "Full Confession," in which Victor McLaglen has the top masculine role. . . . Marjorie Reynolds has been signed for the feminine lead in Monogram's "Mr. Wong in Chinatown."

## Flamm to Be Questioned

Ira Herbert has been granted a motion for examination before trial of Donald Flamm, president of Knickerbocker Broadcasting Co. (WMCA), in his suit in N. Y. Supreme Court for an accounting of commissions allegedly due. The order, by Justice Hammer, calls for examination of William Weisman, vice-president, if Flamm is unavailable. Herbert formerly was a salesman for WMCA and now works for WHN. He is represented by Phillips & Nizer.

# 'Night' at $4,300; Oklahoma City Off

Oklahoma City, June 21.—Grosses tumbled here, the best showing being made by "Lucky Night," with $4,300 at the Midwest. "East Side of Heaven" took $1,900 at the Plaza.

Estimated takings for the week ending June 15:

**"Dark Victory" (W. B.)**
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $5,000. (Average, $5,500)
**"The Kid From Texas" (M-G-M)**
**"The Tarnished Angel" (RKO)**
LIBERTY—(1,200) (20c-25c) 4 days. Gross: $1,700. (Average, $1,800)
**"The Ex-Champ" (Univ.)**
**"On Trial" (Col.)**
LIBERTY—(1,200) (20c-25c) 3 days. Gross: $750. (Average, $700)
**"Lucky Night" (M-G-M)**
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,300. (Average, $4,200)
**"East Side of Heaven" (Univ.)**
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,900. (Average, $1,700)
**"Only Angels Have Wings" (Col.)**
STATE—(1,100) (20c-25c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $3,000)
**"The Hardy's Ride High" (M-G-M)**
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $2,500)

## Miles Gibbons Dies; Of Para's Newsreel

Miles F. Gibbons, associated with the Paramount newsreel for the past 12 years, died yesterday afternoon at St. Luke's Hospital.

Gibbons was born in Pittston, Pa., in 1882. Prior to joining Paramount, he was with Pathe, joining Paramount News as a sales assistant in April, 1927. He is survived by his widow, Ruth, one son and three daughters. Funeral arrangements had not been set last night.

## Loses Song Suit

Copyright of William A. Brady to "Way Down East" has expired, the Appellate Division of the N. Y. Supreme Court ruled Tuesday in a decision upholding the dismissal of a $250,000 damage suit which Brady had brought against the Bamberger Broadcasting Service, Inc., Mutual Broadcasting System, Inc., Blackett-Sample-Hummert, Inc., and Charles H. Phillips Chemical Co.

# New French Decree Rules Film Imports

By PIERRE AUTRE

Paris, June 21.—A new French Government decree, regulating the importation and exhibition of foreign films in France for the year from July 1, next, was published today in the *Journal Officiel*.

The decree follows the lines of that issued last year for the year ending June 30, with three important exceptions. The first calls for the issuance of 188 dubbing visas per year, instead of 94 for each six-month period.

Second, a maximum of 12 extra dubbing permits may be granted on recommendation of an international film commission. Third, as of Jan. 1, 1939, original versions of dubbed films must have had their first public presentation in the country of origin less than two years before the completely dubbed film is deposited at the French censor's office for registration.

American interests here fear that the issuance of 188 annual visas, instead of 94 half-year, may result in the filling of the complete year's quota at once, which would oblige American companies to wait a year for new dubbing permits.

As last year, the decree includes a provision allowing a Government commission to make an allotment of dubbing visas between importing countries, a situation which American interests always have opposed, except if they are granted at least 170 visas per year.

The decree virtually extends for another year the regulations in force since 1932.

## Nine Metropolitan Area Houses Close

Nine additional Summer closings have been made in the metropolitan area. The New 14th Street and the Washington, (Harry Harris); the Boro, Bronx, (H. Savage): Burke, Bronx, (John Bolte); Dale, Bronx, (Cocalis Circuit); Juliet, Arlington, and Park, Newburgh, (both Netco Circuit); Radio, Brooklyn, (S. Stephens); Rex, East Rutherford, (Maurice Stahl); and Hastings, Hastings-on-Hudson, have been closed.

Malo & Kutchen have reopened the Broadway and the Rialto in Monticello for the Summer. The Model, Brooklyn, (Abe Levy) has been reopened after having been shut down for alterations. The Penn Newsreel, Manhattan, (Joseph Steiner), is being demolished.

## Employment Agency

**Birmingham, Ala., June 21.—Russell Morgan, manager of the Alabama here, was a one-man employment agency one day recently, when he used unemployed stenographers in the lobby to record patron reactions to the film.**

**The result was that four of the girls got jobs and many others have lined up prospective positions.**

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

*[Dates Are Based Upon National Release Schedules and Are Subject to Change.* ***This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following:*** *(A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]*

| | COLUMBIA | M-G-M | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS | MONOGRAM |
|---|---|---|---|---|---|---|---|---|---|---|
| May 19 | | It's a Wonderful World (G) (C)<br>*Colbert*<br>*Stewart* | Some Like It Hot (G) (C)<br>*Shirley Ross*<br>*Bob Hope*<br>*Gene Krupa* | Southward Ho<br>*Roy Rogers* | | Boy Friend<br>*Jane Withers*<br>*Arleen Whelan*<br>*Richard Bond* | | Ex Champ<br>*McLaglen*<br>*Tom Brown*<br>(G) (D) | Sweepstakes Winner<br>*Marie Wilson*<br>*Allen Jenkins*<br>*John Davis* | Wolf Call<br>*Movita*<br>Down the Wyoming Trail<br>*Tex Ritter*<br>(May 19) |
| May 26 | Missing Daughters<br>Only Angels Have Wings | Bridal Suite<br>*Robert Young*<br>*Annabella*<br>*W. Connolly*<br>(G) (C) | Unmarried<br>*Buck Jones*<br>*Donald O'Connor*<br>Stolen Life<br>*Bergner* | The Zero Hour<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | Racketeers of the Range (O)<br>*O'Brien* | The Gorilla<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | Captain Fury<br>*Aherne*<br>*McLaglen* | They Asked For It<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | Code of the Secret Service<br>*Reagan*<br>*Towne* | Across the Plains<br>*Jack Randall*<br>(June 2) |
| June 2 | Lost Horizon (reissue)<br>Trapped in the Sky | | Gracie Allen Murder Case<br>*Allen*<br>*Warren William* | S.O.S. Tidal Wave<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | The Girl From Mexico<br>*Lupe Velez*<br>*Donald Woods*<br>(G) (C) | The Jones Family in Hollywood | | Inside Information<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | The Man Who Dared<br>*Grapewin*<br>*Jane Bryan* | Should a Girl Marry?<br>*Anne Nagel*<br>*Warren Hull*<br>(June 9) |
| June 9 | | 6000 Enemies<br>*Walter Pidgeon*<br>*Rita Johnson*<br>(G) (D) | Undercover Doctor<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | Mountain Rhythm (O)<br>*Gene Autry* | Saint in London<br>*George Sanders*<br>*Sally Gray* | Young Mr. Lincoln<br>*Fonda*<br>*Alice Brady*<br>(G) (D) | | The Sun Never Sets<br>*Rathbone*<br>*Fairbanks, Jr.*<br>(G) (D) | Juarez<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>(G) (D) | Stunt Pilot<br>*John Trent*<br>Roll, Wagon, Roll (O)<br>(June 30) |
| June 16 | Awful Truth (reissue)<br>Western Caravans (O) | Tarzan Finds a Son<br>*Weissmuller*<br>*O'Sullivan* | Invitation to Happiness<br>*Dunne*<br>*MacMurray*<br>(G) (D) | | The Girl and the Gambler<br>*Steffi Duna*<br>*Carrillo* | Charlie Chan in Reno<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | | | Nancy Drew Trouble Shooter<br>*Bonita Granville*<br>*Frank Thomas, Jr.*<br>(G) (D) | The Man from Texas (O)<br>*Tex Ritter*<br>(July 21) |
| June 23 | Clouds Over Europe<br>*Olivier*<br>*Valerie Hobson* | Maisie<br>*Ann Sothern*<br>*Robert Young* | Grand Jury Secrets<br>Heritage of the Desert (O) | In Old Caliente<br>*Roy Rogers*<br>*Mary Hart* | Five Came Back<br>*Chester Morris*<br>*Lucille Ball*<br>(G) (D) | Susannah of the Mounties<br>*Shirley Temple*<br>*Scott* | | | The Kid from Kokomo<br>*O'Brien*<br>*Wayne Morris*<br>(G) (C) | G. N. |
| June 30 | Parents on Trial<br>Good Girls Go to Paris | Stronger than Desire<br>*Virginia Bruce*<br>*Walter Pidgeon* | Bulldog Drummond's Bride<br>*John Howard*<br>*Heather Angel* | Wyoming Outlaw (O)<br>*John Wayne* | Timber Stampede<br>*Geo. O'Brien* | It Could Happen to You<br>*Gloria Stuart*<br>*Stuart Erwin*<br>(G) (D) | | House of Fear<br>*Wm. Gargan*<br>*Irene Hervey* | | Six-Gun Rhythm (O)<br>*Tex Fletcher*<br>(May 12) |
| July 7 | | On Borrowed Time<br>*Lionel Barrymore*<br>*Hardwicke* | Man About Town<br>*Jack Benny*<br>*Dorothy Lamour*<br>(G) (C) | Mickey, the Kid<br>*Bruce Cabot* | Career<br>*Anne Shirley*<br>*Edward Ellis* | Mr. Moto Takes a Vacation<br>*Peter Lorre*<br>*Schildkraut* | | Unexpected Father<br>*Baby Sandy*<br>Forgotten Woman<br>*Sigrid Gurie* | Naughty But Nice<br>*Dick Powell* | Panama Patrol<br>*Leon Ames*<br>*Ch. Wynters*<br>(May 19) |
| July 14 | A Woman Is the Judge<br>*Rochelle Hudson* | They All Come Out<br>*Rita Johnson* | Million Dollar Legs<br>*Betty Grable*<br>*Jackie Coogan* | She Married a Cop<br>*Phil Regan*<br>*Jean Parker* | Of Human Bondage<br>The Lost Squadron<br>(reissues) | Second Fiddle<br>*Henie*<br>*Power*<br>*Vallee* | | I Stole a Million<br>*George Raft*<br>*Claire Trevor* | Waterfront<br>*Gloria Dickson*<br>Hell's Kitchen | Exile Express<br>*Anna Sten*<br>*Alan Marshal*<br>(May 26) |
| July 21 | Blondie Takes a Vacation<br>*Penny Singleton*<br>The Man from | Andy Hardy Gets Spring Fever<br>*Rooney* | Magnificent Fraud<br>*Akim Tamiroff* | | Way Down South<br>*Bobby Breen* | News Is Made at Night<br>*Preston Foster* | | | Daughters Courageous<br>*John Garfield*<br>*Priscilla Lan* | Singing Cowgirl (O)<br>*Dorothy Page*<br>(June 2) |

# SOUND TROUBLE-SHOOTING CHARTS

We have arranged a special printing of the invaluable sound trouble-shooting charts which supplement the second revision of the sixth edition of F. H. Richardson's Bluebook of Projection. There are nineteen practical, detailed charts that provide a simplified guide to quick trouble-shooting, enabling the projectionist to spot and repair sudden break-downs both in the projection and sound apparatus. These are available now in handy brochure form at minimum cost. The supply is limited so be sure to order your copy now.

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# Short Subject Reviews

### *"Haunted House"*

(*Warners*)

One of Floyd Gibbons' "Your True Adventure" series, this subject dramatizes the frightening adventure of two young girls, seeking shelter from the rain in a "haunted" house, who are trussed up and abandoned by an escaped convict. They spend a terrible night, and are rescued in the morning by state police hunting the convict. It makes for a telling piece of drama. Running time, 12 mins.

### *"Death Valley Thrills"*

(*Paramount*)

This Grantland Rice "Sportlight" is one of the funniest reels produced in this series in a long time. Two brothers and a dog, go traveling through Death Valley in a rebuilt second hand automobile. They ski and "aquaplane" on the sands and the automobile goes up and down hills like a goat. This one should bring down the house. Running time, 10 mins.

## *Take Phil Cook Show*

Posto-Photo will sponsor Phil Cook's "Morning Almanac" on WABC three mornings a week, starting at once. The schedule is for Mondays, Wednesdays and Fridays. Redfield-Johnstone is the agency.

## *Quits Oklahoma Net*

ARDMORE, Okla., June 21.—KVSO here has withdrawn from the Oklahoma Network, according to James Griffith, station manager. All accounts have been retained by the station under the change.

## *Mexico Notes*

MEXICO CITY, June 21.—Another program for advancing picture production in Mexico is being formulated by the national studio workers' union. It plans a cooperative society to produce at least two pictures a month. The union looks to the Government's National Workers and Industrial Bank for financing. The society is to include players and technicians.

Scrupulous examination of all local film houses to ascertain whether or not they are observing safety and fire regulations is being conducted by the municipal government as a result of the blaze in a theatre at Zacatepec, a sugar central near here, that cost 50 lives.

All indications are that "Upa y Apa," the Mexican Government-sponsored stage revue which was intended to depict the true Mexico and which failed in New York under the name, "Mexicana," will be a total loss for the Mexican administration. Efforts to sell the plot of the revue to film producers have failed.

It is said that this theatrical-picture venture lost the Mexican Government $40,000 of badly needed money.

# BANNER LINES

By JACK BANNER

**FIGHT SOLD** . . . Having valiantly tried to sell the broadcast rights in the Joe Louis-Tony Galento prize fight to practically every firm that has ever been in radio, NBC finally succeeded in obtaining a client for the brawl in the Schick Repeating Razor Co., a firm that has never before tried its hand in paying an air bill. Credit for the sale goes to Fred Thrower, of the network's sales department.

Financial setup of the sale is still under discussion. Several alternate plans for payment of air time have been offered to Schick, but just what the plans consist of is very much a secret.

Buick Motor Co., which sponsored the past several Joe Louis fights, bought its time in 15-minute blocks. But the Brown Bomber in his last two efforts polished off his opponents in a matter of about one minute each, which found Buick in the highly uncomfortable predicament of paying for 15-minutes, and obtaining service and value of only one minute.

Schick doesn't want that to happen to it, and apparently neither does NBC, for several alternate methods, all affording some measure of protection to the sponsor, are under consideration. But as we say, we do not know what those measures are.

▼

**HAYS BY TELEPHONE** . . . Will Hays has been invited by the National Association of Broadcasters to speak before its members at the Atlantic City convention, July 10 to 13. Hays has accepted the offer, but he will be heard by remote control, according to a plan now being devised. Because he will be on the West Coast while the NAB convention is in session, the leader of the motion picture industry will speak by radio from Hollywood.

▼

**PERSONALS** . . Guy Richards, magazine space buyer and account executive at the Compton agency, off this week-end for a four weeks vacation. . . . Cal Swanson, account executive at J. Walter Thompson, is out of town on business. . . . Phil Baker has signed Norman Panama and Mel Frank, former writers for Bob Hope, to write material for his series. . . . Written and directed by Emerson Yorke, the film, "In the Hills of Old New Hampshire," was televised by NBC yesterday from the World's Fair. . . . Jack Frazer, NBC announcer, yesterday became father of a baby boy. His wife is the former Betty Glenn, once a radio writer.

▼

**WEAF, WJZ BILLINGS RISE** . . . May billings on WEAF and WJZ, NBC key stations here, were 67 per cent ahead of May last year, with the cumulative total for the first five months of this year 20 per cent ahead of the comparable period for 1938.

▼

**WAUKEGAN RESERVATION** . . . Paramount has taken over the entire premises of the Waukegan Hotel for the preview of the Jack Benny picture, and Benny radio broadcast, Sunday, from that Illinois home town of the comedian. The hotel is a tremendous structure of 20 rooms.

▼

**RKO STAYS ON AIR** . . . Confirming an earlier item here, Wrigley Co. yesterday announced the picking up of the option of the RKO "Gateway to Hollywood" series, which is piloted by Jesse Lasky. The final show this season is set for July 2, but it will return to the air Oct. 8 for another 26-weeks' spin.

▼

**TRANSRADIO SETS NEW STATIONS** . . . Transradio will service WOKO and WABY, Albany, on expiration of the United Press contract with those stations, early in the Fall.

▼

**PRESS WOMEN SET AIR SPEAKERS** . . . National Federation of Press Women, who on Monday will tender radio awards at a luncheon at the Waldorf, will be addressed by Lenox Lohr, William S. Paley and Alfred J McCosker, presidents respectively of NBC, CBS and WOR, and by Major Gladstone Murray, chief executive of the Canadian Broadcasting Corp., Grover Whalen and John S. Young. The three networks will broadcast the addresses.

## *Court Weighs Suit On Mae West Skit*

LOS ANGELES, June 21.—U. S. District Court Judge Harry A. Hollzer today took under advisement and reserved judgment in the suit of Joan Storm against NBC, Mae West and others for using allegedly plagiarized material on the "Adam and Eve" broadcast on the Chase and Sanborn program which caused such a stir in December, 1937. NBC officials testified that Mae West, who did not appear in court, received $4,000 for appearing on the program and that NBC profit from sale of the time consumed by the skit was $122.50.

## *WNEW Extends News*

Revision of schedules extending news programs by more than 50 per cent, has been started at WNEW. On the old schedule WNEW broadcast a total of six hours, 15 minutes of news a week. The schedule now calls for a total of nine hours, 35 minutes weekly.

## *CBC Sets Dance Series*

MONTREAL, June 21.—Canadian Broadcasting Corp. and NBC are cooperating on a dance broadcast series to start the first week in July, coming from Murray Bay, St. Lawrence River resort, and featuring Luigi Romanelli's orchestra.

# Summer Lul At Box Office Over—Cowdi

J. Cheever Cowdin, board chai man of Universal, said yesterday b fore boarding the *Queen Mary* for European visit described as "rout that the early Summer lull in at ance throughout the United Stat seems to have lifted.

"With the public showing more di crimination than ever before, t quality of pictures is as important profits as general business condition he said.

"With the new crop of pictures f 1939-'40 designed to meet this di crimination, boxoffice receipts shou reflect improvement in the near f ture."

He reported that Universal's bu ness is continuing to hold at lev well above a year ago.

## *Telecasts of Sports To Start Saturda*

Starting Saturday, NBC will ma a series of telecasts from Manhatt Beach as a means of experimenti with various forms of sports pr grams.

The first broadcast will be of t Women's Swimming Associatio championship meet, from 4 to 5 P. M Saturday.

NBC plans to televise a lacros game, said to be the first ever p on the air, as well as softball, han ball, tennis, boxing, ping pong a other sports.

## *Province Telecasts Sought for Britai*

LONDON, June 21.—A joint deput tion of all English radio manufactu ers and retailers, meeting with t Postmaster General, today stressed t need for provincial and Scotch tel vision service.

They suggested a separate televisi license of 10 shillings annually, decla ing the public would be willing to pa it. The Government official promis consideration of the suggestions.

## *Britain Abandons New Film Taxe*

(*Continued from page* 1)

should be dropped.

"The result would be that the should be no excise duty on cinema ograph films. The proposals for cu toms duty would need correspondi adjustment and there might be min changes, but of course these would a pear later."

## *RCA Closes U. S. Deal*

RCA Mfg. Co. has been awarded $15,000 contract by the War Depar ment for motion picture recordi equipment. The Navy Departme has awarded the company a contra for sound reproducing equipmen totaling $12,328.

## *Woodyard Heads WSM*

DAYTON, O., June 21.—Ronald Woodyard, former manager WLAR, Zanesville, O., has been a pointed general manager of WSM here.

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# roadcasting Licenses Now For 12 Months

### CC Doubles Half Year Permit Period

WASHINGTON, June 22.—Broadcast- station licenses hereafter issued by e Federal Communications Comssion will be for a one year term, tead of six months as at present, der action taken today by the Comssion.

By unanimous vote, the Commission reed to extend the license period, recommended by its committee on ndards of good engineering prace. The longer term will be put o effect as outstanding licenses exe and are renewed.

It was said at the Commission that doubling of the license term, unrtaken under provisions of the mmunications act giving it author- to fix any period up to three ars, may be the forerunner, if sucssful, of a still longer period, but at further extension would probably t be undertaken until after considable experience with the new sysn.

# FA Wages Battle For Control of 4A

Present controversy between the nerican Federation of Actors and sociated Actors and Artistes of merica, parent body of actors' ions, has resulted in a struggle for ntrol of the A.A.A.A.

Control of the parent body depends per capita payments for members good standing, with one vote for ch 300 members.

Ralph Whitehead, A.F.A. executive cretary, has declared that A.F.A. w has a paid up membership of 50 which would entitle it to 29 tes instead of the present 22. Whitead also declared that the Screen ctors' Guild, by far the largest union to the present with 34 votes, is not titled to this number because it has en reducing its membership to elimite overcrowding the extra field.

Strength of other unions at prest follows: American Federation of adio Artists, 12 votes; Actors uity, 11; American Guild of Musical tists, 3; Chorus Equity, 3; Hebrew ctors, 2; Italian Actors, 2; Hunrian Actors, 1; Burlesque Artists, 1, d Hebrew Chorus, 1.

A move to reduce the voting

(Continued on page 2)

## Picture Pioneers Meet on June 29

**First dinner of the executive committee of Picture Pioneers, newly-formed organization of men who have been associated with the industry for 25 years or more, will be held June 29 in the Barberry Room, 19 E. 52d St. Jack Cohn, Columbia vice-president, who founded the veterans' organization, announced yesterday.**

**Idea of the Pioneers' club has proved so popular in sections outside New York that the parent organization is considering issuing special charters to other units elsewhere.**

# Negotiations Begin Upon Ticket Code

Negotiations for a ticket brokers' code for next season were opened yesterday by the League of New York Theatres at a meeting between legitimate stage managers, theatre owners and brokers.

James Reilly, executive secretary, presented the terms which will be less costly to brokers provided some arrears are paid.

Because of the litigation brought by Acme Ticket Agency to void the code, many brokers who signed the code refrained from making the payments

(Continued on page 2)

# TRUST SUIT FACED BY SCHINE CIRCUIT

### More Than 50 Monopoly Charges By Exhibitors in Federal Courts

Upwards of 50 anti-trust suits by exhibitors against major distributors and competitive circuits are pending in federal district courts.

The Government's anti-trust action brought in New York a year ago has greatly encouraged independent exhibitors to file conspiracy suits against the principal companies. More than 30 such actions have been filed in the last year.

Generally, the complainants claim "freezeouts," with inability to obtain product and clearance as the chief causes of action.

Industry executives point to the sharp increase in litigation as a prime reason for the setting up of arbitration boards as tribunals where exhibitors may seek adjudication of complaints.

The Department of Justice, which is receiving complaints constantly, has forwarded many of them to the distributors for additional information and to get the companies' side of the controversies.

This has been the tipoff to the companies to attempt to settle the disputes where possible. One major com-

(Continued on page 6)

### U. S. Will Launch Action Within Three Weeks; Florida Suit Seen

Government anti-trust suit may be filed against the Schine circuit of Gloversville, N. Y., within the next three weeks, the Department of Justice disclosed yesterday.

A suit will also be instituted shortly against a large independent circuit in Florida, Department officials said.

The Schine complaint, being prepared in Washington, will probably be filed in the Federal District Court at Buffalo. The Department of Justice has received numerous complaints from independent exhibitors upstate.

Government suits pending are the one in New York and a second against the Griffith circuit and major distributors in Oklahoma City.

A Department of Justice official indicated that the Government is anxious to show that it is not discriminating against the major company defendants in the New York suit and that it will bring action against independent circuits which the Government feels are violating the anti-trust laws.

Counsel for the majors said yesterday that answers will be filed in the Government's suit against the eight principal companies either Tuesday or Wednesday of next week.

The answers will cover all important defendants except Columbia and United Artists. Negotiations are in progress to facilitate substitutions of new defendants who recently became associated with RKO.

# *Short Wave Broadcasts By Studios Start in July*

Series of short-wave broadcasts planned by the major film companies over CBS and NBC to Europe and Latin America is expected to start in July.

It will be institutional and all-industry in character, the purpose being to foster goodwill, understanding and support for American films. It is not intended to promote individual companies, their pictures or stars.

The working committee headed by Charles E. McCarthy, 20th Century-Fox advertising and publicity director, is formulating methods, including news sources, subjects to be covered, how to channel the material to the networks and so on.

CBS and NBC reserve the right to approve the scripts. The broadcasts will be in six languages, English, French, Italian, German, Spanish and Portuguese.

The broadcasts, emanating from New York, will be 15 minutes each and of the column-of-the-air type. Included will be fan and trade information, news of new films, Hollywood anecdotes, humor and the like. The scripts will be factual. There will be no direct commercial plugs.

The broadcast will be at a specified time each week, gauged to the best hours for foreign reception.

Definite policies and a program formula may not be established until after reaction is obtained to the first few broadcasts. A Hollywood clearing house for script material probably will be set up. Players and directors may be put on the air while visiting New York.

Program plans will be discussed further at a meeting of foreign publicity representatives of all distribution companies with the McCarthy committee at M. P. P. D. A. headquarters today.

# Rye Golfing Honors To MGM Foursome

RYE, N. Y., June 22.—Under sunny skies, the 27th *Film Daily* Golf Tournament was acclaimed the "greatest ever" by film executives and rank-and-filers who mingled on the fairways and tennis courts at the Rye Country Club.

M-G-M's foursome, composed of William Orr, John Murphy, Sidney Bromberg and Tom Gerety, won the Albee Memorial Cup as the winning team in match play. E. A. Williford turned in the lowest net score, Leonard Palumbo, the lowest gross.

Among the exhibitors, Moe Seider had lowest net and Edward L. Hyman, lowest gross. Murray Schoen won the putting contest and Irving Raskin the driving test. John F.

(Continued on page 8)

# All Executives Of Paramount Retain Posts

All officers of Paramount Pictures, Inc., were reelected for another year at the initial meeting of the newly elected board of directors yesterday.

Officers are: Barney Balaban, president; Adolph Zukor, chairman of the board; Stanton Griffis, chairman of the executive committee; Y. Frank Freeman, Austin C. Keough, Neil F. Agnew, John W. Hicks, Jr., and George L. Bagnall, vice-presidents; Walter B. Cokell, treasurer; George Bagnall, assistant treasurer; Fred Mohrhardt, comptroller; Austin Keough, secretary; Norman Collyer, Jacob H. Karp and Frank Meyer, assistant secretaries.

All members of the executive committee were also reelected.

## *Marcus Is Republic Manager in Buffalo*

James R. Grainger, Republic president, has appointed Nat Marcus as Buffalo branch manager, in addition to Arthur J. Newman as Albany manager. The company recently took back Jack Berkowitz's franchise for these offices and Detroit.

Marcus was Republic salesman in Buffalo. He succeeds Berkowitz and Newman replaces Bernie Mills, resigned.

## *Police Protection Bill Passed in Conn.*

HARTFORD, CONN., June 22.—Exhibitors have just learned of a little-publicized bill, which passed both houses in the last days of the legislative session and awaits the Governor's signature, which gives the chief of police the right to determine how much police protection is necessary for any public amusement, to furnish such protection and charge it to the operator.

## *Negotiations Begin Upon Ticket Code*

(*Continued from page* 1)

required under it. These payments are based on the number of tickets sold.

Under the proposal by Reilly, if all arrears due up to March 31, are paid before July 15 no further payments will be required until the beginning of next season. In addition, the per ticket payment will be reduced. The brokers must agree to bring no additional law suits.

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# *Purely Personal*

C. G. DICKINSON, Paramount general sales manager in England, and TONY REDDIN, publicity director for England, who came here for the company's annual sales convention, sail for London on the *Aquitania* next Wednesday.

•

WILLIAM RODGERS, WILLIAM F. SCULLY, LEO FRIEDMAN, JOHN HICKS, JR., SAM HARRIS, MAX GORDON, WILLIAM MORRIS, JR., at Nick's Hunting Room in the Astor for lunch yesterday.

•

JOSEPH B. KLECKNER, former president of Motiograph, Inc., has been named to the executive staff of the Jam Handy organization, Detroit. The company has moved to larger quarters.

•

MRS. HARRY BUXBAUM, wife of the manager of the 20th Century-Fox New York exchange, returned to her home yesterday after an operation at the Women's Hospital.

•

MARJORIE REYNOLDS has been signed to a new five-year contract by Monogram. She will appear next with BORIS KARLOFF in "Mr. Wong at Headquarters."

•

DAVE OPPENHEIM, son of SAM OPPENHEIM of RKO, has returned to New York after receiving a B.A. degree from the University of Wisconsin.

•

E. F. LOMBA, 20th Century-Fox special home office representative, is attending the company's Central and Caribbean convention in Trinidad.

•

E. J. LONDON, former Boston exhibitor now operating the Costello, Bronx, and Annette Schwartz will be married in about six weeks.

•

ED SCHNITZER, Eastern district manager for Warners, left last night for a brief visit at the Boston and Buffalo branches.

•

CHARLES GILMOUR, president of Gibraltar Enterprises, Denver, exhibitor leader there, is recovering from a hand infection.

•

ARTHUR M. FRUDENFELD, division manager for RKO Midwest in Cincinnati, has left for a vacation on the coast.

•

DONALD WOODS and JANE WYATT, film players, will head the cast of the Elitch summer theatre in Denver this year.

•

NORMAN MCLEOD, director, is in town for a few days with MRS. MCLEOD, stopping at the Waldorf-Astoria.

•

CHARLES LAUGHTON left yesterday for the Coast to appear in "The Hunchback of Notre Dame" for RKO.

•

TRACY BARHAM, Paramount theatre associate in Ohio, is at the home office for several days of conferences.

•

GEORGE STAMATUS, JR., son of the circuit head, has been appointed manager of the Tremont, Bronx.

•

CHANDLER SPRAGUE'S original screen story, "The Search of Youth," has been bought by M-G-M.

•

JOHN D. HERTZ, JR., has returned from Akron, O.

JOSEPH M. SCHENCK, 20th Century-Fox board chairman, will confer with S. R. Kent, president, who arrives Monday from South America and plans to leave later in the week.

•

T. M. STEVENSON, Chief Theatre, Oberlin, Kan.; HARRY E. WELCH, Glen, Glen Burnie, Md.; MR. and MRS. MORT G. GOLDBERG, G.C.S. Circuit, Chicago, and BEN JACOBSON, Dixie, Louisville, visited the RKO World's Fair lounge yesterday.

•

GEORGE A. HICKEY, M-G-M district manager with headquarters at Los Angeles, is conferring here with WILLIAM F. RODGERS, general sales manager, and ED SAUNDERS, western division head.

•

WILL FYFFE, Scotch character actor, arrived from the coast yesterday after finishing work in Paramount's "Ruler of the Seas" and will sail on the *Aquitania* on Wednesday.

•

MORRIS KURTZ, New Jersey salesman for 20th Century-Fox, will celebrate his 19th wedding anniversary and the graduation of his daughter, Beverly, on June 27.

•

MAY ROBSON is en route from the Warner studio for a short vacation in the east. She is due over the weekend.

•

BARRETT C. KIESLING, M-G-M traveling publicity representative, has arrived in New York.

•

BURTUS BISHOP, Pittsburgh branch manager for M-G-M, is in town.

•

JOHN D. HERTZ is in town.

## *Hays Leaves Today For Wedding of Son*

Will H. Hays, president of the M.P.P.D.A., and Mrs. Hays leave tonight for Indianapolis to attend the wedding of their son, Will, Jr., next Tuesday afternoon. The bride is Margaret Louise Chapin, daughter of Mr. and Mrs. William Pond Chapin of Indianapolis.

The ceremony will be performed at the Episcopal Church of the Advent. The groom's father will be best man. Two of his cousins, John T. and Charles Edward Hays, of Sullivan, Ind., will be ushers.

Following a motor trip to the Coast, the couple will reside in New Haven, where Will is a student at the Yale School of Law, from which he will graduate next year.

## *Rites Tomorrow For Miles Gibbons*

Funeral services for Miles F. Gibbons, of Paramount Newsreel, who died Wednesday at St. Luke's Hospital, will be held tomorrow morning from the family home at 409 Fowler Ave., Pelham Manor, N. Y., and Saint Catherine's Chapel.

## *Closes Monogram Deal*

T. R. Williams, who recently resigned as treasurer and a director of Educational-Grand National, has closed a deal with Monogram to produce four pictures. Williams was associated with E. W. Hammons for a number of years. He arrived on the Coast a few days ago.

# AFA Battles To Seize 4-A Rule by SA

(*Continued from page* 1)

strength of the S.A.G. by limiting union to one-third the total is und consideration by branches but no fin action has been taken. Although a proval is almost certain, Frank Gi more, A.A.A.A. president, has stat that the amendment is not likel take effect before the A.F.A. tria July 10.

Another factor in the situation is t vote needed to sustain charges agair the A.F.A. It has been indicated th a two-thirds vote will be required a the present strength of the A.F.A. w be enough to block a vote if it c rally the support of one of the small unions.

A.F.A. yesterday demanded a b of particulars of the charges fil against it. The answer, due June will be given 48 hours after the d tails are obtained, Whitehead statec

## Allied at Syracuse Backs Code Defea

SYRACUSE, N. Y., June 22. Syracuse unit of New York Alli endorsed action of the national orga ization in rejecting the code at t recent Minneapolis convention yeste day after E. Thornton Kelley, st executive secretary, had given a f convention report.

In discussing games and giveawa Syracuse members announced th they expect to meet next week give the question further conside tion. After it was reported that bu ness in this section is off from 40 45 per cent, members agreed th games and premiums aren't drawi patrons to their houses.

Next meeting of the Syracuse u will be held in Binghamton on Ju 21, with meetings alternating betwe Syracuse and Binghamton montl thereafter.

## *Acquires Cuban Right*

I. E. Lopert of Juno Films, In has acquired the Cuban distributi rights to "The End of a Day," Frer film directed by Julien Duvivier.

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# AN IMPORTANT STATEMENT!

*"Our audiences have enthusiastically received Columbia's 'CLOUDS OVER EUROPE' and the business of the picture has been the most pleasant surprise of the summer."*

W G Van Schmus

MANAGING DIRECTOR
RADIO CITY MUSIC HALL

# Theatres Balk At Wisconsin's Gross Taxes

MADISON, WIS., June 22.—Strenuous opposition to the administration's proposed tax bill, which provides, among other things, for a three per cent gross income tax on theatre admissions, was voiced by theatremen yesterday before the joint committee on finance here.

If enacted, the tax would force many theatres to close and necessitate an increase in admission prices at others, it was contended.

No opposition has been voiced to amendments to the Mace bill, which seeks to legalize pari-mutuel betting and which also originally provided for an occupational and seat tax on circuit theatres. The amendments eliminate this provision.

A substitute measure legalizing horse racing and pari-mutuel betting, similar in many respects to the Mace bill, has been introduced in the assembly.

## *Schneider Acquires 100 Columbia Shares*

WASHINGTON, June 22.—Acquisition in April of 100 Columbia Pictures common voting trust certificates, bringing his holdings to 204, was reported through the Securites and Exchange Commission today by Abraham Schneider, New York, treasurer of the company.

The only other transaction shown by the commission in its semi-monthly summary was the exchange of 41,000 Warner Brothers optional debentures by S. P. Friedman, New York, officer, for other debentures.

Kenneth M. Young, New York, was reported as holding 1,300 shares of Pathe common stock when he became an officer and director April 27.

## *Set F. P. Canadian Convention July 24*

TORONTO, June 22.—Annual theatre managers' conference of Famous Players Canadian Corp. is scheduled for the General Brock Hotel, Niagara Falls, Ontario, for four days starting July 24.

J. J. Fitzgibbons, vice-president and managing director, will preside at the general meetings while the various district managers will be in charge of group and regional gatherings. President N. L. Nathanson will address the managers and home office officials on the final day of the meeting, July 27.

## *Schine Meeting Aug. 2*

GLOVERSVILLE, N. Y., June 22.—Annual managers' convention of the Schine circuit has been set tentatively for Aug. 2-4 here. All "A" house managers will be present, and several from the "B" houses.

## *Injury Verdict Slashed*

A verdict of $25,177 rendered to Philomena De Salva against Stanley-Mark Strand Corp. for injuries suffered when two persons in the balcony of the Strand fell on her has been reduced by the Appellate Division to $12,677.

# *Theatre, Personnel Notes*

### Shift Schine Managers

GLOVERSVILLE, N. Y., June 22.—George Cameron, formerly of Schine's Regent, Geneva, N. Y., goes in as manager of the Geneva, Geneva. Arch Rogers, formerly assistant manager of the Geneva, becomes manager of the Regent. John Tucker, former manager of the Geneva, goes to the Monroe, Rochester, as manager, succeeding Paul Ketchum, resigned. William Le Compte goes in at Schine's Hurlock, Hurlock, Md., while Edward Elliot of the Hurlock is transferred to the Music Hall, Easton, Md.

### Galston Opens Theatre

HOLLYWOOD, June 22.—Albert A. Galston and Jay Sutton, who operate the Marcal in Hollywood and other theatres, this week opened their new Center in East Los Angeles.

### Milwaukee House to Fox

MILWAUKEE, June 22.—Fox's latest local acquisition is E. F. Maertz's Zenith, North side neighborhood house. Maertz is president of the Independent Theatre Protective Association of Wisconsin.

### Manager's Widow Gets Post

Mrs. Mary McCartney, widow of W. P. McCartney, has been named to succeed her late husband as manager of the Jefferson, Punxsutawney, Pa., by Harry Kalmine, Warners' Pittsburgh zone manager.

### Two Ready in San Antonio

SAN ANTONIO, TEX., June 22.—Tol Teeters has leased the new 800-seat Joy from J. L. Litz. The building cost $25,000. J. L. Greenwood is manager. The city's twelfth theatre, the Broadway, is nearing completion and will be opened at the end of the month. Interstate Theatres, Inc., will operate the house, with Henry Bergman as manager, and Gerald O'Donnell as assistant manager. The house will seat 1,200. The El Nacional here has been closed for repairs. G. A. Luccheuse is manager.

### Managing 2 Fox Houses

DENVER, June 22.—Roy Notheis, manager of the Mayan, has also taken over management of the Webber. Al Yohe, Webber manager, has resigned. Ralph Lee, Tabor manager, and Frank Culp, Isis manager, have exchanged posts. All are Fox houses.

### Milwaukee House Dark

MILWAUKEE, June 22.—The Alhambra, downtown house which has operated under a variety of policies since its reopening two months ago, is again dark.

### Theatre Changes Name

FRANKFORT, KY., June 22.—Ritz Theatre, Hickman, Ky., has filed amended articles of incorporation, changing the name to Roxy Amusement Co.

### Rialto Closes at Paterson

Rialto, 500-seat house in Paterson, N. J., has closed for the Summer.

### Hawthorne Closes

Hawthorne in Hawthorne, N. J., operated by Harry L. Newman, will close for the Summer Saturday.

### Remodels Franklin House

Ace Munson is remodeling his Franklin Theatre in Franklin, N. J.

## *Defense in IATSE Trial Starts Monday*

LOS ANGELES, June 22.—A. Brigham Rose, attorney for Local 37, today completed evidence in the Superior Court trial against international officers of the I.A.T.S.E. which seeks restoration of autonomy of the local.

Testimony today consisted of completing the reading of a 140-page deposition by George Browne, I.A.T.S.E. president, after which Rose examined the telephone company representative in an attempt to show that Harold V. O. Smith, former Coast head of I.A.T.S.E., communicated with Browne on the night when I.A.T.S.E. representatives seized the premises and took over affairs of the local.

Superior Judge Henry Willis recessed the case until Monday when I.A.T.S.E. counsel will open defense.

## *B-K Executives Take Stand Today at Trial*

CHICAGO, June 22.—The government's suit against Balaban and Katz and the majors formally gets under way tomorrow. Assistant Attorney General Robert Wright today outlined the government's case. Tomorrow exchange and circuit executives will start testifying. The trial is expected to continue for six weeks.

# *The Newsreel Parade*

*Tornado in Minnesota, Brazil's army chief at Annapolis and a Norwegian training ship in New York Bay are the major events in the new issues. The reels and their contents follow:*

MOVIETONE NEWS, No. 82—Naval cruisers combat storm. Cruisers on good will tour. Brazilian general in America. Tornado in Minnesota. Norwegian training ship in New York. Plane lands at Battery. Gehrig retires. Trotting race. Galento and Louis discuss coming bout.

NEWS OF THE DAY, No. 280—Far East crisis. Tornado sweeps Minnesota towns. Christian Radich in New York Harbor. Harvard confetti battle. Pool for children. London health league show. Gehrig paralysis victim. Louis and Galento predict victory.

PARAMOUNT NEWS, No. 92—Harvard class day. Squalus raised as probe starts. Tornado tragedy in Minnesota. General Monteiro at Annapolis. Vikings visit New York. Fire in Chinatown. Paralysis forces Gehrig's retirement. Track meet in Los Angeles. Louis and Galento optimistic as fight nears.

RKO PATHE NEWS, No. 97—U. S. welcomes chief of Brazil's army. Minnesota towns raked by tornado. Calisthenics demonstrated. Sub disaster probed. Treasure hunt off Virginia coast. Introduce new dance. Norwegian merchant marine ship arrives in New York.

UNIVERSAL NEWSREEL, No. 782—Brazilian general on tour. Norwegian ship in New York. Fire in Philadelphia warehouse. Cyclone disaster in Minnesota. Baby forecast errs. Baby Sandy gets haircut. Model of Queen Mary. Children's day in English town. Paralysis ends Gehrig's career. Midget auto race. Skiing on water.

# $221,000 Ris
# In Admissio
# Tax Collectio

WASHINGTON, June 22.—Admissic tax collections in May reached total of $1,605,988, an increase $221,000 over the April collections $1,384,722 and $211,000 above t May, 1938, revenue of $1,394,659, was reported today by the Bureau Internal Revenue.

The May collections brought t total for the first five months of t calendar year to $7,664,967, very clo to the $7,722,309 received in the co responding period last year, it w shown.

For the first 11 months of the fi cal year, however, the receipts $17,979,541 showed a loss of $1,19 785 from the $19,176,326 reported f the same period a year ago.

The improvement over April f the country as a whole was not shar in the Broadway sector, a report collections for the Third New Yo District showing that May receip were $492,012 against $506,685 in t previous month. As compared wi May, 1938, however, when collectio were $415,798, the month showed improvement of more than $76,000.

The Broadway report showed th box-office collections dropped fro $442,085 in April to $425,376 the f lowing month and that receipts fro free or reduced rate tickets dropp from $6,811 to $2,529. Collections tickets sold by brokers jumped fro $11,168 to $15,578, and $161 was c lected on tickets sold by proprietors excess of established prices a $1,857 from permanent use or lease boxes and seats, neither of which r turned any revenue in April. A missions to roof gardens and cabar returned $46,512 against $46,622 April.

## *G. N. Stockholders' Meet Off to June 2*

Meeting of Educational-Grand N tional stockholders scheduled for ye terday to consider a proposal for n financing for the companies was po poned to June 29 because of a la of a quorum.

E. W. Hammons, Educational pre dent; Franklyn Warner, head of Fi Arts, and Jack Skirball, producti aide to Hammons, continued conf ences yesterday on prospective releas which were begun with the arrival Warner and Skirball from the co earlier.

## *306 Asks Confirmation*

Proceedings were filed yesterday N. Y. Supreme Court by Local 3 to confirm a decision of Arbitrat Ben Golden, restraining Bell Amus ment Corp., operator of the Huds Playhouse, New York, from hiri any but Local 306 projectionists, a fining the company $656.

## *5 Boro Negotiations*

Negotiations will be resumed tod between the Five Boro Circuit a Theatrical Managers, Agents a Treasurers Union for a contract c ering wage and hour schedules managers and assistants.

# TRIPLE SUCCESS

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# Short Subject Reviews

## "Ave Maria"

*(French Film Exchange)*

This is a film which undertakes to portray the architectural grandeur of the Cathedral of Notre Dame de Chartres. Many of the views are indeed breathtaking, but as a whole the photography is below par. Views of the town, the interior of the cathedral and the sculpture on the exterior make up the reel. The sound accompaniment is impressive. English narration. Running time, 10 mins.

## "Trip to the Sky"

*(French Film Exchange)*

Here is a study in astronomy which should delight and instruct any audience. It is a trip from the earth to the moon, then to the planets and finally to the outer rim of the known universe. Produced by L'Institut de Cinematographie Scientifique, it first shows how astronomy grew as a science, how distances are measured and how each astral body would look if a human could land on it. A highly interesting subject. English narration. Running time, 11 mins.

## "Rembrandt"

*(French Film Exchange)*

A history of art done in connection with the life of Rembrandt. The famous masters' works are shown and analyzed and a study of Rembrandt's masterpices follows. Done in a manner to entertain both a lay and art-loving audience. Running time, 10 mins.

## 50 Anti-Trust Suits Before U. S. Courts

(Continued from page 1)

pany has satisfactorily adjusted about 40 complaints in the last few months, on information received from the Department of Justice.

The latest action on which companies have been served with subpoenaes was brought by Tegue's Palace Theatre, Inc., of St. Johnsbury, Vt., against Interstate Theatre Corp. and all principal distributors except RKO and 20th Century-Fox. Alleging product "freezeout," the complainant seeks $100,000 triple damages under the anti-trust laws.

George S. Ryan, Boston attorney who represents exhibitors in a number of similar cases, filed the action in federal district court at Burlington, Vt.

## Post to Ed Maize, Jr.

Edwin R. Maize, Jr., has joined Radio Attractions as southern sales manager. He is now on a tour of the area in the interests of the company's current release, "Shadow of Fu Manchu." Maize has been a merchandising counsellor and general sales manager.

## I. T. O. A. Outing July 25

Sixth annual all-industry outing, sponsored by the I.T.O.A., will be held July 25 at Indian Point.

# Hollywood Previews

## "Stronger Than Desire"

*(M-G-M)*

HOLLYWOOD, June 22.—This is a remake of "Evelyn Prentice," produced by the same studio in 1934 with William Powell and Myrna Loy in the principal roles. This time Walter Pidgeon and Virginia Bruce play them. Lee Bowman, Ann Dvorak, Ilka Chase and Rita Johnson are runners-up, with Ann Todd adding a dash of interest as the child in the case.

The case, of course, is the same one, although presented this time via a screenplay by David Hertz and William Ludwig. Leslie Fenton directed for associate producer John W. Considine, Jr., and the production job is first grade.

It will be remembered that the story is about a lawyer so busy he doesn't get home much and his idle wife who finds a young scoundrel's company so charming that she has to shoot him to get back her letters. There's a flighty society girl who ambushes the attorney in his Pullman stateroom, too, but this detail gets lost sight of after the dead man's wife is charged with his murder and the lawyer's wife persuades him to defend her.

The court room scene, which is the big one of the picture, shows him proving his wife's melodramatic confession unfounded, fixing the guilt on the defendant he's been defending and then talking the jury into voting her an acquittal, a forensic display Pidgeon manages handily.

Naturally, it isn't the sort of material kiddies are presumed to be interested in.

Running time, 80 minutes. "A."* ROSCOE WILLIAMS

## "She Married a Cop"

*(Republic)*

HOLLYWOOD, June 22.—Entertainment of wide appeal is the essence of "She Married a Cop," a farce which tells the story of a singing policeman who marries an animated cartoon producer and whose married life is made temporarily unhappy when he discovers that she had tricked him into becoming the "voice" of a pig cartoon character. The picture contains a novel exploitation angle, and quality to justify added expenditure to tell show shoppers about it.

Phil Regan and Jean Parker play the principal roles and are supported by Jerome Cowan, Dorothea Kent, Benny Baker, Barnett Parker, Horace MacMahon, Oscar O'Shea, Mary Gordon, Muriel Campbell, Peggy Ryan and Richard Keene. The comedy, action and love scenes are well paced by Sidney Salkow, the director, who brought to the screen the competent scenario of Olive Cooper.

Producer of the picture is Sol C. Siegel, who, with Salkow as director, has turned out several of the more popular of Republic's recent offerings.

Regan sings, in addition to "My Wild Irish Rose," three songs by Ralph Freed and Burton Lane—"I Can't Imagine," "I'll Remember," and "'Here's to Love."

Regan, as the singing policeman, is induced to become a motion picture "actor" and is not told that his voice will be used as the voice of a pig in an animated cartoon. Falling in love with the producer, played by Miss Parker, on the day of the preview, he leaves her at the showing because of the jibes of his fellow officers. However, all turns out well when he later discovers that the pig character has become a hit.

Running time, 64 minutes. "G."* VANCE KING

---

*"A" denotes adult classification.*

## Hicks to Join Zukor In Honolulu in July

John W. Hicks, Jr., Paramount vice-president and foreign department head, will leave New York toward the end of next week for Vancouver, from where he will sail July 5 on the *Niagara* for Hawaii and Australia on a month's business trip.

Hicks will meet Adolph Zukor in Honolulu and the two will proceed to Australia together from there. Zukor sails from Los Angeles June 29 on the *Matsonia*. The two are scheduled to return on the *Monterey*, which arrives at San Pedro, Sept. 5.

## Only 300 Television Sets in N. Y. District

Approximately 300 television sets of all makes and models have been sold here since May 1, when broadcasting of regular programs was begun, according to estimates made yesterday by television company officials.

The number is far below advance estimates and general expectations in the television industry, obviously averaging fewer than 100 sales per company for the leading manufacturers.

Estimates of television officials place the total number of sets now in use in the United States at 800.

# Erpi Device' Sound Trick Amaze Chief

HOLLYWOOD, June 22.—Heads studio sound departments last nig witnessed a demonstration by Hom Dudley, Bell Telephone engineer, Erpi's Vocoder, an instrument still the process of development, whic does seeming miracles with voice cordings.

Held at the Erpi laboratory her the demonstration including raisin and lowering the pitch, changing i flection, breaking speech down in its component parts and rebuilding to achieve the effect of age, infanc or other desired results.

A discussion followed during whic sound engineers were invited to sug gest ways of making the instrume of service to production.

## 100 Radio Editors To Benny Premier

Approximately 100 radio editors a expected to attend Sunday's premie of the Paramount picture "Man Abo Town," and the Jack Benny broadcas from Waukegan, Ill., home town the comedian.

The radio contingent will be chief from the mid-west. From New Yo City J. E. Doyle and Ben Gross the Journal-American and the New have been invited.

Cliff Lewis, Paramount studio pu licity director, is in charge of t Waukegan celebration, assisted Carl Krueger and Terry de Lapp, al of the studio. The Hollywood co tingent to the event includes Jac Benny and Mary Livingstone, Ph Harris, Eddie Anderson and And Devine, with the possibility th George Raft, Edward Arnold an Binnie Barnes will also be on hand.

## Berke Is Autry Produce

HOLLYWOOD, June 22. — Willia Berke today was named producer Republic's Gene Autry westerns fo the 1939-'40 season, with George Sher man directing.

## Musketeers Bring Press Invitations

**Hollywood, June 22. — Hollywood newspapermen yesterday were visited in their homes and offices by two tall men, wearing the habiliments of 17th Century musketeers.**

**After doffing their plumed hats and tilting their swords the cavaliers presented the astounded reporters with scrolls inviting them to "the wedding of Louis XIV, King of France, and Maria Theresa, Infanta of Spain and Princess of Austria, and other events of historical and romantic importance."**

**It was the way of Murphy McHenry, publicity director for Edward Small, for sending preview invitations for "The Man in the Iron Mask."**

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# MGM's Team Captures Rye GolfingHonors

*(Continued from page 1)*

Murphy was the birdie winner.

William German was voted best dressed. Booby prize went to Vincent Trotta. Milton Pearlman took the tennis singles honors, while Orton Hicks and William Merrill proved to be the best double team.

The winners follow:

### Winning Team

Metro-Goldwyn-Mayer—William Orr, John Murphy, Sidney Bromberg and Tom Gerety.

### First Runner-up

Exhibitors Team—William Brandt, D. J. Chatkin, Lester Reiger and Harold Rinzler.

### Second Runner-up

Warner Bros.—Albert Warner, Leonard Palumbo, Larry Golob and Bob Williams.

### Third Runner-up

Trade Press—James Cron, John Flinn, Paul Greenhalgh and Herb Fecke.

### Fourth Runner-up

National Screen Service—George Dembow, Abe Rachlin, Lou Semels and Al Semels.

### Individual Play

Low net—E. A. Williford.
Low Net Runner-up—Al Manheimer.
Low Net Second Runner-up—Harry Pimstein.
Low Net Third Runner-up—Charles B. Gardner.
Low Gross—Leonard Palumbo.
Low Gross Runner-up—Anthony Moreno.
Low Gross Second Runner-up—Abe Rachlin.
Low Net-Exhibitor—Moe Seider.
Low Net-Exhibitor-Runner-up—Gary Piccione.
Low Gross-Exhibitor—Edward L. Hyman.
Low Gross-Exhibitor-Runner-up — George P. Skouras.
Putting Contest Winner—Murray Schoen.
Putting Contest Runner-up—Gordon W. Hedwig.
Putting Contest Second Runner-up—William Frankel.
Driving Test-Winner—Irving Raskin.
Driving Test Runner-up—Ted Curtis.
Driving test, second runner-up—Tom Gerety.
Birdies Winner—Monroe Eisenberg.
Birdie Runner-up—John F. Murphy.
Best dressed golfer—William German.
Booby Prize—Vincent Trotta.

### Tennis Tournament

Singles Winner—Milton Pearlman
Singles Runner-up—Jack Levin.
Doubles Winners—Orton Hicks and William Merrill.
Doubles Runner-up—Louis Nizer and B. Brandt.

## MGM, Fox to Have Joint London 'Lab'

LONDON, June 22.—M-G-M and 20th Century-Fox jointly will establish a laboratory here, according to plans made during the visit in America of Ben Goetz, M-G-M's production chief in England. Goetz is due here Monday from New York.

The move is an economy measure. The laboratory will be for negative and print work, primarily for the United Kingdom. It is possible that United Artists may be included in the arrangement later.

## Cuba Lifts 'Spy' Ban

HAVANA, June 22.—The censorship ban against Warners' "Confessions of a Nazi Spy," imposed Tuesday night, was lifted today following a private screening of the film for Cuban cabinet members and the American ambassador.

# BANNER LINES

### By JACK BANNER

**NEW PROGRAM, NEW IDEA** . . . Tums, Inc., through the Stack-Goble agency, has just signed Horace Heidt for a new series on NBC. Starting date and time is still indefinite. It is believed, however, that the show will get under way in the very near future, and once having established an audience, format will be changed from a straight musical to include a monster contest idea. No details are available about the contest, but it will be based on a "wheel of fortune" idea. The wheel will "select" a telephone subscriber somewhere in the United States, whereupon the subscriber will be called direct from the radio studio. If the call is answered, the subscriber will receive a prize of $1,000. If the party is not at home, he will receive $100, and the $900 will be carried over into a jackpot. That, at least, is the plan as it has been told to us.

▼

**WALTER O'KEEFE THROUGH ON SERIES** . . . It is doubted that Walter O'Keefe will return on "Tune Up Time" when that show returns to the air Aug. 21, following a July 3 close. During the interval, Andre Kostelanetz will do a number of concerts with his wife, Lily Pons, and then will return to the radio show.

▼

**WARNERS BUYS CORWIN SCRIPT** . . . Norm Corwin's script, "They Fly Through the Air with the Greatest of Ease," a blank verse travesty on war dealing with the bombing of defenseless cities, which was accorded a great reception when it was produced on the air this Spring over CBS, has been bought by Warners for a two-reel featurette. The deal was arrange by Bill Lewis, CBS vice-president, during his recent West Coast visit.

▼

**CASHING IN ON A BITE** . . . Ernie Mack, the chap who received front page publicity by being bit on the neck by an enraged chorus girl at the recent stormy AFA meeting, is already cashing in on the bite. He'll do a television bit for NBC tonight at $50, and the producers of "We, the People," are nibbling for him to make guest appearances on that show.

▼

**"WAXING" ED. G. ROBINSON** . . . Sponsors of "Big Town," the Edward G. Robinson series, are "waxing" past episodes of the program and will place the recordings on 26 stations in that many metropolitan cities. "Big Town" leaves the air for the Summer in another week, and the sponsor is using the transcription method of keeping interest in the show alive until it gets back to the network.

▼

**PAUL SULLIVAN ON CBS** . . . Paul Sullivan, former WLW and now WHAS commentator, who is widely known despite his local broadcasts, now will have the network he so long has deserved. Brown & Williamson has signed him for a six-night-a-week commentary series over CBS starting Sept. 24. Thirty-five stations will be used.

▼

**PERSONALS** . . . Bill Spires of McCann Erickson sails for a Bermuda vacation next week with his air actress wife Dorothy Lowell. . . . Kay Lorraine, Hit Parade vocalist, has been signed by Raymond Paige as the "girl of the week" July 14. . . . Bandsmen Bob Crosby and Lebert Lombardo became fathers of baby girls yesterday. . . . Ben Kaplan, radio editor of the *Providence Journal,* in town. . . . J. Fred Coots will introduce his new tune, "This is the Night," over NBC television tonight

▼

**QUIZ STAYS ON, BUT REDUCED** . . . Noxema isn't cancelling "Prof. Quiz," as intended, but will carry on with the show for another 13 weeks, but with a greatly reduced network. Program has been using 40 stations, now will take but six—in New York, Detroit, Minneapolis, Kansas City, St. Louis, Chicago.

▼

**CBS "SARONG MAN"** . . . Steve Fuld, CBS station relations man, escorted Dorothy Lamour to a night club the other evening, and as is usual these days, Dorothy was besieged by reporters and photographers seeking news of her latest romance. Kiddingly, Dorothy pointed to Steve and said he was "it." *Journal-American* carried the story and picture of the couple yesterday, and Steve spent a miserable day at network headquarters, receiving twitting calls and callers. Couple of sarongs were delivered to his desk, too.

## Censor Board Bill Dropped in Illinois

SPRINGFIELD, ILL., June 22.—A bill to create a state board of censors to pass on motion pictures was killed in the State Senate today when its sponsor, Senator Joseph Mendell of Chicago had it stricken from the calendar.

Mendell also struck two other bills which would prohibit children attending late shows and prohibit producers and distributors from having an interest in theatres.

Stricken in the House was the Gibbs bill prohibiting the showing of pictures in which appeared persons who had been divorced more than twice.

## Columbia Leading Baseball League

Columbia's baseball team, despite its first defeat of the season by Paramount, is conceded to be the winner of the first half of the Motion Picture Baseball League. The second half schedule starts Monday. Team standings follow:

| | Won | Lost | Percentage |
|---|---|---|---|
| Columbia | 5 | 1 | .833 |
| Cons. Film I. | 4 | 2 | .666 |
| Skouras | 4 | 2 | .666 |
| NBC | 3 | 3 | .500 |
| Paramount | 3 | 4 | .425 |
| RKO | 2 | 3 | .400 |
| Rock. Center | 2 | 5 | .285 |
| Loew's | 2 | 5 | .285 |

# Film Imports Face British Tax Slashe

LONDON, June 22.—Amendments the British budget, offered in th House of Commons today by S John Simon, Chancellor of the E chequer, provide for the eliminatio of excise duties, and reduce the im port duties considerably below th level proposed in the original b

Tax on raw stock has been a doned. The import tax on une posed film is now 1/3 penny per line foot, and on exposed film is fi pence per linear foot. The latte figure affects first copies, with sul sequent prints to be taxed one penn per foot. Exposed sub-standard fil will have an import duty of one penn per linear foot.

Newsreel interests expressed co tinued dissatisfaction over the fa that there were no specific concessio for the reels. One amendment o fered today called for a duty of o penny per foot on the first copy imported newsreel film.

The full committee of the Commo tonight accepted Simon's amendmen abandoning the excise taxes. Form discussion is scheduled next Tuesda or Wednesday on the import dut amendments with approval almo certain.

Simon frankly admitted that whi believing in the principle of exci duties, he had not realized the compl cations and difficulties it develops.

Thomas Williams, Labor membe and Geofrey Mander, Liberal, a Miss Hornsburgh, Conservative, plea ed for further concessions to new reels. Simon agreed to consider t newsreel situation further.

## Wireless Licenses Show British Boon

LONDON, June 22.—The British Po Office issued 455,174 wireless recei ing licenses during May of this yea This figure represents a net increa of 21,554 in the number of licen holders during the month, after mal ing allowance for expired licenses an renewals.

The approximate total number licenses in force at the close of Ma was 8,984,250 as compared with 8,627 860 at the close of May, 1938, an in crease during the year of 256,390.

## Neutral Arbitrator In 306-ITOA Talk

A neutral arbitrator is to be ap pointed by Local 306 and the I.T.O. to act as the fifth member of a com mittee which will arbitrate demand of the operators' union. Negotiation have brought no agreement. Davi Weinstock and W. French Githen represent the exhibitors. Joseph Basson and Charles Kielhurn are act ing for the union.

## Hays Meet Adjourned

Quarterly meeting of the M. P. D. A. board of directors was ad journed to June 30 following a brie session yesterday. Absence of severa directors from the city and prior en gagements of others held down at tendance at the meeting and restricte business to routine matters.

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## ritain, U. S. Pleased Over Tax Situation

### crease in Import Duty Is Only Revision

LONDON, June 25.—As the tumult the shouting over the proposal increase film excise taxes and im- t duties subsides, the fact emerges t with one exception, the situation as it was before the introduction Sir John Simon, Chancellor of Exchequer, of the drastic in- ases in his recent budget.

he single exception is the import y, which has been increased to pence per linear foot on first ies of all films, and one penny foot on all subsequent copies. The mer duty was two pence per linear t for all copies.

The increase is expected to be ac- ted without protest by American erests, which are particularly con- ned. It is anticipated that the mer system of importing lavender nts will be abandoned, and in place l be continued the new system of porting negatives, with consequent nomies in printing and improved hnical results.

Under the previous system, American npanies sent to England usually ee copies of a film to handle the

(Continued on page 2)

## overnment B & K uit Off for Summer

CHICAGO, June 25.—Trial of the vernment anti-trust suit against B. K. and distributors will adjourn the Summer following a hearing July 7, Special Master Edgar El- edge announced at the close of iday's hearing. The trial will be umed Sept. 5.

Two witnesses were called by the vernment on Friday. H. C. Van lt, F. B. I. investigator, described audit he had made of B. & K.'s ords, and Tom Gilliam, Warner nch manager here, told of the op- tions of his exchange.

Conferences between counsel for h sides will be held Monday and esday in an effort to facilitate ntification of the thousands of cuments to be introduced in evi- ice. The hearing resumes again on ednesday.

Special Assistant Attorney General bert Wright and his assistant, ymour Simon, expect to complete ir side of the case prior to the ad- rnment for the Summer.

## Home Town Fetes Benny at Premiere; 150,000 See Stars

WAUKEGAN, Ill., June 25.—This northern Illinois city went wild today over one of the biggest celebrations in its history. Nearly 150,000 visitors flocked here to participate in the festivities put on for the three-theatre world premiere of "Man About Town." They honored Jack Benny, star of the picture and a home town boy.

The city fathers gave the keys of the city to Benny, and the occasion was a sentimental one, for they were the star's boyhood pals. They also honored the players who came here with Benny from Hollywood.

Dorothy Lamour was here. So was Andy Devine, Mary Livingston, Phil Harris and members of his band, Eddie "Rochester" Anderson, Gertrude Neisen and Tony Martin. They left this town of 33,000 population more than a little frenzied.

The world premiere tonight at the Genesee Theatre was the climax of five days of celebration. The Hollywood delegation participated in the colorful events preceding the opening. There were parades and other doings Saturday and today.

The show was a double-barreled one, for Benny made his Jell-O broadcast over NBC from the stage of the theatre.

Nearly 350 newspaper men attended the broadcast and premiere.

### *Seeks Writ to Stop Coast Labor 'Reds'*

**Los Angeles, June 25.—Attorney William G. Kenney announced Saturday that he will seek an injunction Monday to restrain the Communist party, Harry Bridges, CIO leader, and John L. Lewis, CIO president, from "disrupting the affairs of Hollywood motion picture unions."**

**A statement issued under the name of the Central Labor Council describes Kenney as "representing the rank and file workers in the studios."**

## Theatre Men Meet Today in Oklahoma

OKLAHOMA CITY, June 25.—The annual convention of the Oklahoma Theater Owners, Inc., opens here tomorrow with Morris Loewenstein, president, presiding.

The address of welcome will be given by Loewenstein with the response by Ed L. Kuykendall, president of the M. P. T. O. A. from Columbia, Miss.

The report of the Secretary, Orville Enloe of El Reno, Okla., will follow and an open forum on any subject not covered by the convention program will be held to complete the morning's session.

At 1:30 p.m. a buffet lunch will be

(Continued on page 2)

## *MGM Perisphere Booth To Open in Times Square*

Loew's and M-G-M are sponsoring a World's Fair Information Center at Times Square as a public goodwill builder, and will open the structure Wednesday noon with Eddie Cantor as master of ceremonies. Many Broadway "names" are being lined up for the event.

The structure, in the form of the Fair theme, trylon and perisphere, is located on the island at 46th St., facing Duffy Square.

The perisphere will house an information both where attendants will answer questions relating to the city and the Fair. For the benefit of foreign visitors, attendants will be on hand with a knowledge of French, Spanish, German, Italian and Russian.

While not ostensibly intended as an advertising stunt, visitors will be encouraged to attend Loew theatres or houses where M-G-M films are playing. Suitable literature will be handed out.

There will be a registry and index service whereby visitors may list their New York addresses and telephone numbers to permit other home town visitors to locate them. Maps and guide booklets will be distributed as well as pamphlets on the Fair.

The booth will be open from 8 A. M. to midnight, every day, during the Fair. The trylon is 42 feet high.

As a gesture of appreciation to the city for permitting the structure, the Center will cooperate with police officials in a traffic safety campaign. Signs, posters and pamphlets on the subject will be included.

The idea was worked out by William R. Ferguson, M-G-M exploitation manager, with Oscar A. Doob, Loew theatres advertising and publicity chief.

## Cash for FCC Cut $200,000 By Committee

### *Reorganization Expected; Censorship Assailed*

WASHINGTON, June 25.—The House Appropriation Committtee on Friday recommended an appropriation of $1,838,175 for maintenance of the Federal Communications Commission during the coming fiscal year. This is $200,000 less than the F. C. C. sought, but it is an increase of $93,175 over last year's appropriation figure.

In its report, the Committee pointed out that the Commission's appropriation had been delayed in the expectation that legislation reorganizing the F. C. C. would be enacted, but in the absence of such legislation it became necessary to provide funds if the Commission was not to go out of existence June 30.

### Hearings Next Month

During hearings on the bill last week, members of the Committee inquired into the Commission's "censorship" rule for international stations, and Representative Emmet O'Neal of Kentucky warned the Commissioners that he would oppose enforcement of the rule if the F. C. C. retained it unchanged after hearings which are to be held next month.

### Calls Censorship Un-American

"I will never vote for a dime's worth of appropriation for any such un-American doctrine as that," he said. "If they can do it internationally, they can do it nationally."

Within five years, enforcement of the radio law will cost at least $5,000,000 a year, the Committee was told by E. K. Jett, chief engineer for the Commission.

### New Broadcasting Rules

New rules and regulations for standard broadcast stations have been adopted by the FCC to become generally effective on August 1.

Under these regulations, the number of classes of stations will be increased from three to four by the addition of a new class sharing clear channels; the number of clear channels for exclusive use will be reduced from 40 to 26; the maximum night power of regional Class III stations will be increased from 1,000 to 5,000 watts, and the maximum night power of local stations will be increased from 100 to 250 watts.

# Britain, U. S. Pleased Over Tax Situation

(Continued from page 1)

trade show requirements. Two copies were used for London trade shows and one for trade shows in other cities. Negatives were then made from the lavender prints and release prints followed. Lavenders are duplicating prints from which satisfactory negatives can be made.

Under the new method, necessitated by the new import duties, a negative will be sent, and all necessary prints, for trade shows and regular release, will be struck from that in England. Thus, the five-pence per foot duty is paid on the negative, or first copy, and no other import duty is required.

Virtually all major American companies are establishing laboratory facilities in England which are the equal of those available in the United States.

It is expected that Commons will accept the Simon amendments which modified the original drastic film taxes, as well as the amendment introduced by members of Parliament which provides that newsreels will be assessed only a straight penny per foot import duty, as heretofore.

## *Chaplin Plant Starts Action on 'Dictator'*

Hollywood, June 25.—Ending three years of idleness, the Charles Chaplin studio on Friday began the construction of sets for "The Great Dictator." The first set, a Continental tenement street, will be ready in 10 days.

The only cast name thus far announced is that of Paulette Goddard, who will play opposite Chaplin in his first all talking film. The comedian is withholding all information relative to the film's story, beyond saying it is a comedy. Ira Morgan and Rollie Totheroh, who worked on "Modern Times," will photograph it.

Russell Spencer is art director, and William Bogdanoff is construction superintendent. Jack Wilson has been named assistant to Alfred Reeves, Chaplin's general manager.

## *Shine Gets Ross Post*

W. J. Shine has been appointed coordinator of research activities for Ross Federal Research Corp. He will work under C. B. Ross, director of research. A former Columbus newspaperman, Shine comes here from Cincinnati, where he has been in charge of research sales for Ross.

## *Editing En Route*

**Roger Ferri, editor of the *Dynamo*, 20th Century-Fox house organ, prepared the latest issue while traveling 3,000 miles from New York to San Francisco. Yesterday copies were received at the home office from San Francisco, where the 20-page edition was printed. Ferri is on the coast attending S. R. Kent Drive conferences with Herman Wobber, general sales manager, and M. A. Levy of Minneapolis, drive leader.**

# *◂ Purely Personal ▸*

William A. Scully, Universal general sales manager, and F. J. A. McCarthy, division manager, were in Gloversville over the weekend on the Schine product deal.

•

Ellen Drew sailed from England over the weekend on the *Nieuw Amsterdam* scheduled to arrive here Thursday. She is slated for the co-starring role in Paramount's "The Broken Heart Cafe."

•

William Pratt, manager of the L & J Paramount in Atlanta, and Mrs. Pratt, visited the Managers' Round Table of *Motion Picture Herald* on Friday, while in town to see the World's Fair.

•

Michael J. Moodabe of the Moodabe Circut, New Zealand; William and Leo Bennes of the Lincoln, Lincoln, Ill., among the registrants at the RKO World's Fair Friday.

•

Arthur Shields, Abbey Theatre player, arrived in New York on the *Mauretania* Saturday en route to the 20th Century-Fox studios for work in "Drums Along the Mohawk."

•

Gwendolyn A. Altman, daughter of Edward Altman, owner of the Capitol Stage Lighting Co., was married last week to Theodore Van-Bemel.

•

Ray Milland returned to New York on the *Mauretania* Saturday from England where he completed "French Without Tears" for Paramount.

•

Cliff Nazarro, double-talk comedian, arrives in New York today for a personal appearance at the Paramount beginning Wednesday.

•

Milton Bren, M-G-M producer, has arrived from the Coast with Mrs. Bren. Bren is conferring with Norman McLeod, M-G-M director.

•

Ralph Clark, Sr., Warner managing director in Australia, will sail this week from Los Angeles for Sydney after home office conferences.

•

W. H. Earles of Ross Federal's Seattle office has returned from Alaska where he contacted company representatives.

•

Mary Lee Martin, former secretary at Universal's coast publicity department, has been cast in Paramount's "Are Husbands Necessary?"

•

Garson Kanin, director of RKO's "Bachelor Mother," is in town for the premiere of the picture at the Music Hall June 29.

•

Harry H. Ballance, 20th Century-Fox district manager at Atlanta, is recuperating from an operation.

•

Barbara Worth and Bernard Straub have been placed under contract as writers at M-G-M's studio.

•

Dr. Oscar Zayas, president of Peliculas Cubanas of Havana, is in town.

Sam E. Morris, vice-president of Warners in charge of foreign activities, will sail for South America late in July for a general checkup.

•

Guy P. Morgan, United Artists chief in Argentina, Paraguay and Uruguay, and Clemente Lococo, managing director of the Opera Theatre in Buenos Aires and circuit head, arrive in New York today on the *Brazil.*

•

Bob Suits, Evansville; Frank Henson, Canton; Clinton Wander, Loew's Broad, Columbus, and Matt Saunders, Bridgeport, were a delegation of Loew managers visiting in New York. Wander was here on his honeymoon.

•

Barrett C. Kiesling, M-G-M traveling publicity representative, left last night for New England after conferences with Si Seadler and William R. Ferguson.

•

Wesley Ruggles, Columbia director, arrives in New York from Europe on the *Normandie* today and will spend a few days here before leaving for Hollywood.

•

Edmund Goulding and Anatole Litvak, Warner directors, left for the Coast over the weekend after a vacation in the East.

•

Morris Shapiro, Baltimore exhibitor, has returned there after a New York visit.

•

Fanny Cimbol, secretary to Alan Corelli of the Theatre Authority, was married yesterday to Dr. Jacob Leftoff.

•

Charles Cohen of Howard Dietz's staff at M-G-M is vacationing this week at Woodburne, N. Y.

•

William R. Ferguson, M-G-M exploitation chief, was in New England over the weekend.

•

James R. Grainger, Republic president, returns today from Albany and Buffalo.

•

Herman Stern of the Universal commercial films department is in a local hospital for observation.

•

Al Christie, Grand National producer, is in town.

## *Associates to Honor Abrams and Levy*

Motion Picture Associates at a luncheon Wednesday at the Astor will honor Leo Abrams, Universal branch manager here who has been promoted to short subjects sales manager, and David A. Levy, his successor.

William F. Rodgers, M-G-M general sales manager; William A. Scully, Universal sales head, and Louis Nizer, attorney, are scheduled as speakers. A large industry turnout is expected. Jack Ellis, Associates' president, will be toastmaster.

This will be the Associates' last meeting of the Summer, and is called for 12:30 P. M.

# Theatre Men Gather Today In Oklahoma

(Continued from page 1)

served in the Hotel Biltmore, convention headquarters.

Addresses for the afternoon sessi include "Visual Education," by Dr. H. G. Bennett, president of the Oklahoma A. & M. College at Stillwater; "Ascap" by D. R. Milstein, Tulsa, state representative for Ascap, to be followed by an open forum on Ascap problems; "The Return of Flesh to the Motion Picture Theatre" by Ralph Talbot, head of Ralph Talbot Theatres, Tulsa, Okla.; "Developing Radio Into a Powerful and Stimulating Factor," Paul Short, Dallas, Tex., district manager for National Screen Service; "Money from Your Screen," C. B. Akers, Dallas, Tex., Griffith Amusement Company, and "Television—Will It Help or Hurt?" E. C. Hull, chief engineer of radio station WKY, Oklahoma City.

### Election Tuesday Morning

Tuesday morning will be devoted entirely to a presentation of 1939-40 product by local exchange managers. Exceptions will be Charles E. Kesnick, southern district manager for Metro-Goldwyn-Mayer, who will present that company's product and E. Walker, presenting the product of K. Lee Williams Film Exchange, Inc., Oklahoma City. Election of officers will close the Tuesday morning session.

Tuesday afternoon delegates present will hear the following addresses: "Common Sense in Politics," by E. W. Smartt, chairman of the state board of affairs; "Booking and Selling of Short Subjects," Mrs. Bessa Short, Dallas, Tex., booker of short subjects for the Interstate circuit; "The Theatre of Tomorrow," William Moore of Moore and Corrigan, Dallas, Tex., theatre architects, and "What Is Ahead for the Showman of Tomorrow?" by R. J. O'Donnell, president of the Interstate circuit, Dallas; "Trade Practices, Block Booking and the Business Outlook," Kuykendall.

Tuesday evening delegates will be entertained at a banquet, dance and floor show at the Oklahoma City Golf and Country Club.

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# BENNY GOES TO TOWN

in . . .

# "MAN AB

**Starring JACK**

## BENNY

Radio's No. 1 comedian back in his best as That Scoundrel, the Other Man—prince of heart-breakers!

**Starring DOROTHY**

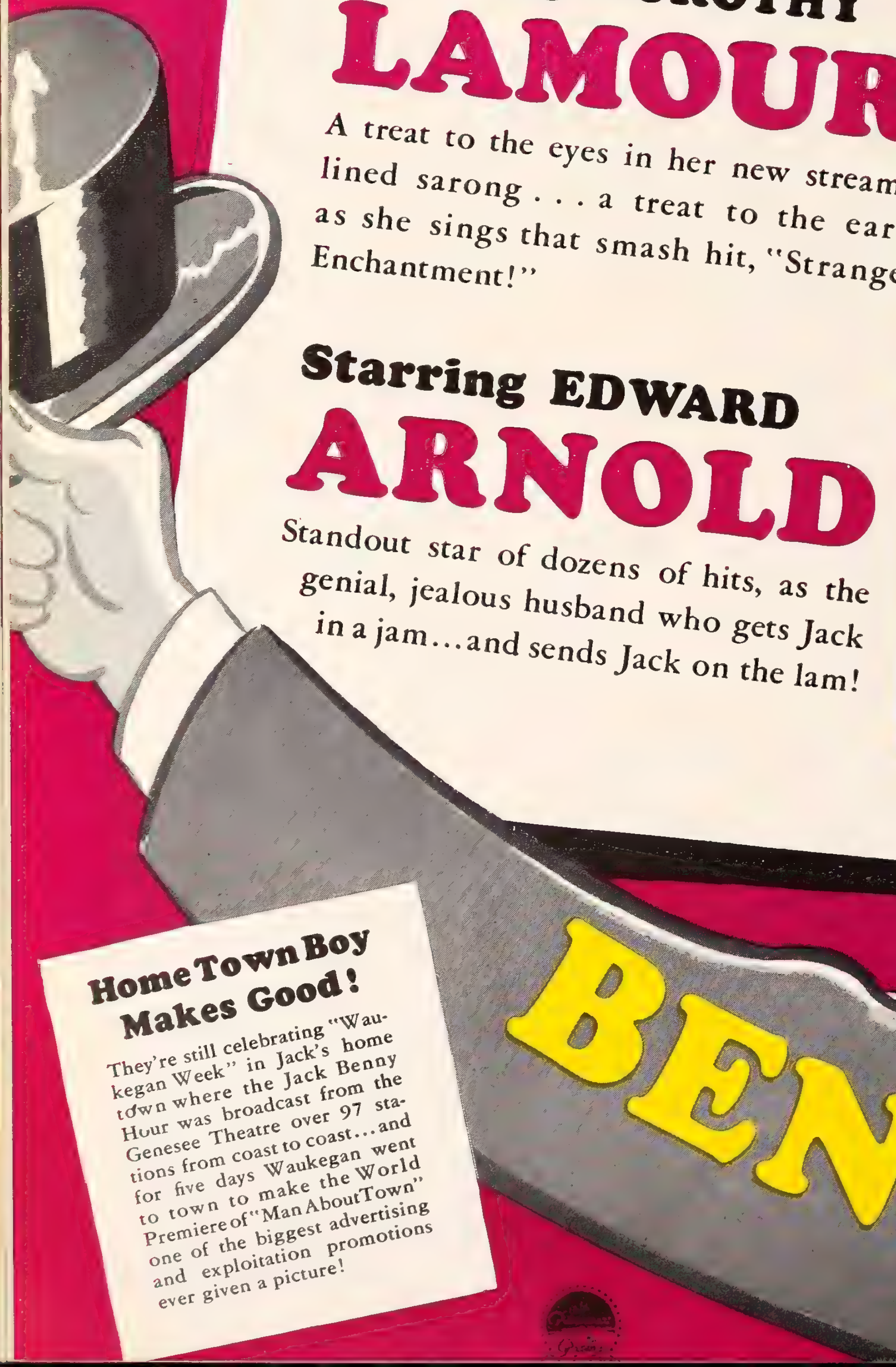
## LAMOUR

A treat to the eyes in her new streamlined sarong . . . a treat to the ears as she sings that smash hit, "Strange Enchantment!"

**Starring EDWARD**

## ARNOLD

Standout star of dozens of hits, as the genial, jealous husband who gets Jack in a jam...and sends Jack on the lam!



### Home Town Boy Makes Good!

They're still celebrating "Waukegan Week" in Jack's home town where the Jack Benny Hour was broadcast from the Genesee Theatre over 97 stations from coast to coast...and for five days Waukegan went to town to make the World Premiere of "Man About Town" one of the biggest advertising and exploitation promotions ever given a picture!

# OUT TOWN"

**with**
## "ROCHESTER".

Jack's famous radio man of no work...good for a million laughs!

**with THE**
## PETTY GIRLS

Famous artist Petty's curvaceous beauties step from the pages of the magazines and come to life!

**with 4 GREAT**
## SONG HITS!

Strange Enchantment", "That
entimental Sandwich", "Man
bout Town", "Fidgety Joe"
played by Matty Malneck
d his Orchestra, West Coast
ing sensations!

MAN ABOUT TOWN
FIDGETY JOE
THAT SENTIMENTAL SANDWICH
STRANGE ENCHANTMENT

### THE CRITICS GO TO TOWN FOR "MAN ABOUT TOWN"

"Sure-fire entertainment bound to pile up a healthy total of laughs in theatres everywhere. An ideal vehicle for Jack Benny!" —*Film Daily*

"A sure-fire audience picture. The comedian's air following will undoubtedly swell the copious take of this production!" —*Hollywood Reporter*

"Luscious entertainment for eye and ear and one of the brightest and most smartly turned out pieces of merchandise from the Paramount organization!" —*Daily Variety*

"Ideal warm weather screen fare and should obtain uppermost brackets in box office revenue!" —*Box Office*

"Great news that Jack Benny's latest movie is such a riot. 'Rochester' runs comedian Benny a close second!" —*Louella O. Parsons*

"The Jack Benny flicker is the best musical ever made at Paramount, and 'Rochester' is a sensation." —*Ed Sullivan, Daily News*

"The exhibitor should have a field day in the exploitation and selling of this comedy to his patronage. It is an excellent piece of highly salable entertainment." —*M. P. Daily*

# BEST

# PARAMOUNT GOES TO TOWN

with

## "MAN ABOUT TOWN"

starring Jack **Benny** · Dorothy **Lamour**

Edward **Arnold** with Binnie Barnes · Phil Harris

Betty Grable · "Rochester" · Matty Malneck and Orch.

Directed by Mark Sandrich · Original Screen Play by Morrie Ryskind · A Paramount Picture

with

## "OUR LEADING CITIZEN"

Bob Burns' biggest hit!

with

## "STOLEN LIFE"

Another Elisabeth Bergner triumph!

with

## "THE STAR MAKER"

America's cavalcade of show business!

with

## "THE MAGNIFICENT FRAUD"

Tamiroff gives the year's most thrilling performance!

PRINTED IN U.S.A.

Paramount

# 'Mikado' Hits Good $16,000 For Hub Lead

Boston, June 25.—"The Mikado" and "Sorority House" at Keith Memorial cleared $16,000. "Invitation to Happiness" and "Undercover Doctor" drew $14,500 to the Metropolitan. "Juarez" took $6,000 at the Scollay.

Estimated takings for the week ending June 21:

**"Tumbleweeds" (Astor) (reissue) (3 days with vaude.)**
**"Fixer Dugan" (RKO) (3 days with vaude.)**
**"Blackwell's Island" (W. B.) (3rd run) (2 days)**
**"The Story of Vernon and Irene Castle" (RKO) (3rd run) (2 days)**
**"The Hound of the Baskervilles" (20th-Fox) (2 days) (3rd run)**
**"Winner Take All" (20th-Fox) (3rd run) (2 days)**
RKO KEITH BOSTON—(3,200) (20c-30c-40c) Gross: $7,500. (Average, $8,000)
**"The Mikado" (Univ.)**
**"Sorority House" (RKO)**
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $14,000)
**"Prison Without Bars" (U. A.)**
**"Some Like It Hot" (Para.)**
PARAMOUNT—(1,797) (25c-35c-40c-55c) days. Gross: $7,000. (Average, $8,000)
**"Prison Without Bars" (U. A.)**
**"Some Like It Hot" (Para.)**
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $5,300)
**"Invitation to Happiness" (Para.)**
**"Undercover Doctor" (Para.)**
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $14,500. (Average, $14,500)
**"It's a Wonderful World" (M-G-M)**
**"Missing Daughters" (Col.)**
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $13,500. (Average, $14,000)
**"It's a Wonderful World" (M-G-M)**
**"Missing Daughters" (Col.)**
LOEW'S STATE—(3,000) 25c-35c-40c-55c) 7 days. Gross: $9,700. (Average, $10,000)
**"Juarez" (W. B.)**
**"Unmarried" (Para.)**
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $6,000. (Average, $5,000)

## 'Juarez', $8,700, Is Omaha Winner

Omaha, June 25. — "Juarez," dualled with "Chasing Danger," hit $8,700 at the Omaha. "Rose of Washington Square" was good for $9,100 at the Orpheum.

Estimated takings for the week ending June 23-24:

**"Kid From Kokomo" (W. B.)**
**"Blind Alley" (Col.)**
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,200. (Average, $4,000)
**"Juarez" (W. B.)**
**"Chasing Danger" (20th-Fox)**
OMAHA—(2,200) (25c-40c) 7 days. Gross: $8,700. (Average, $6,000)
**"Rose of Washington Square" (20th-Fox)**
**"Secret Service of the Air" (W. B.)**
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $9,100. (Average, $7,600)

## Films Need Press Freedom—Wanger

San Francisco, June 25.—Calling motion pictures one of greatest weapons for the safeguarding of Democracy, Walter Wanger, producer, Friday told the American Library Congress that films must enjoy the same freedom as the press.

"Films which attempt to be informative and which interpret burning questions of the day should not be hobbled or haltered," Wanger said. "If films cannot speak truthfully and freely where great issues are involved, then they can be used as a weapon against democracies."

# Out Hollywood Way

Hollywood, June 25.—Warners will star May Robson in "The Case of the Dangerous Dowager," a Perry Mason story by Erle Stanley Gardner. . . . Dudley has been signed by Samuel Goldwyn to write the screenplay on "Seventh Cavalry," forthcoming Gary Cooper vehicle. Ernest Haycox wrote the treatment. . . . Alan Baldwin, Goldwyn contract player, has been loaned to Monogram for the lead in "The Girl from Rio," starring Movita. . . . Ray Milland's Paramount film, "The White Flame," story of the Canadian Northwest, with Patricia Morison and Akim Tamiroff, will be produced by Paul Jones, with George Archainbaud directing.

Warners has purchased "Lost Beauty," story by John van Druten for Geraldine Fitzgerald, George Brent, Jeffrey Lynn and Claude Rains. Edmund Goulding will direct. . . . Another purchase is "City of Iron Men," based on the famous Seaman's Institute in New York, as a James Cagney vehicle. . . . Maury Cohen and Fortunio Bonanova, coproducers of Atalaya Films, making Spanish pictures for United Artists, have signed Imperio Argentina, Spanish actress, for their second picture. The deal is contingent on whether she can arrange permission to leave Spain and enter the United States.

Another Warner vehicle for Edward G. Robinson is announced as "Gusher," tale of the oil fields. Set tentatively as supporting players are Humphrey Bogart, Gale Page, John Payne, Alan Hale and Jane Wyman. . . . J. D. Trop has gone to New York to conclude a deal for distribution of "Taku," feature picture of Alaska, which he produced with Norman Dawn. Dawn some years ago produced "Tundra," picture of the frozen wastelands. . . . Allan Lane and Linda Hayes will head the cast of "Conspiracy," which Cliff Reid will produce and Lew Landers direct.

Atalaya Films has purchased two novels, "The Merry and Confident City," by Jacinto Benavente, and "No, I Am Not a Gigolo," by Juan Desclaux. . . . John Garfield will go into the top role with Fay Bainter in Warners' "Forgive Us Our Trespasses," based on the Lloyd C. Douglas novel. . . . John Wayne drops out of Republic's "Three Mesquiteers" series under a new contract given him, and will do instead five high budget pictures a year. . . . Hugh Herbert heads the supporting cast to Loretta Young and David Niven in "Eternally Yours," formerly titled "Whose Wife?"

RKO's "Pennsylvania Uprising" is now being called "Alleghany Frontier." . . . Laraine Day draws the feminine lead in "Northwest Passage," at M-G-M, in which Robert Taylor, Spencer Tracy and Walter Brennan will have the top masculine roles. . . . Monogram is preparing for production on "Rip Van Winkle," from the Washington Irving story. . . . Paramouht has changed the title of "Heaven on a Shoestring" to "Happy Ending."

*Casting*—Tim Holt to "Three Sons," starring Edward Ellis at RKO. . . . Gene Lockhart to "Blackmail," M-G-M. . . . Charles Ruggles to "Balalaika," M-G-M. . . . Colin Tapley to "The Light That Failed," Paramount.

## Heifetz Booklets Plug Goldwyn Film

New exploitation stunt for Samuel Goldwyn's "They Shall Have Music" is being tried by United Artists with the distribution of 20,000 copies of a biographical study of Jascha Heifetz, with reference to his first motion picture, which has been prepared by Deems Taylor, well known music critic.

Booklets have been printed in attractive form and will be distributed to every newspaper, theatre, circuit head and music school in the country. Evelyn Gerstein and Art Catlin will handle the work on special assignment in more than 75 cities during the next four weeks.

## Feiber & Shea Now Control Ohio Town

Cleveland, June 25.—Feiber & Shea have taken over the Beulah, Ashtabula, Ohio, which gives the circuit control of the four theatres in the town.

## Asks Kuhn Libel Facts

Warners filed application Friday in U. S. District Court for an order directing Fritz Kuhn to file a more detailed statement of his complaint in his libel suit for $5,000,000 damages, injunction, and accounting on "Confessions of a Nazi Spy." Application will be heard on June 30.

## Warners to Appeal Argentine 'Spy' Ban

Buenos Aires, June 25.—Warners will appeal the ban on "Confessions of a Nazi Spy" to the Ministry of Justice of Argentina. The ban was ordered by the Mayor of Buenos Aires last week.

Although the censorship officially applies only to the capital, exhibition elsewhere in the country is doubtful unless the ban is lifted. It is believed official circles wish to avoid any conflict with the German Embassy.

## Governor Ignores Sales Tax Appeals

Albany, June 25.—Despite a plea by the state mayor's conference for consideration of the sales tax at the special session which convened Friday, Governor Lehman's message to the legislature specified only consideration of the invalidated budget. The Governor, if he wishes, can expand the extraordinary session to permit consideration of other measures, but the message was interpreted to indicate that no such permission will be forthcoming.

## Change Corporate Name

Albany, June 25.—Change of name of Republic Distributing Corp., Buffalo, to B. M. Film Exchanges, Inc., has been filed with the Secretary of State here.

# 'Lincoln' Nets Seattle Lead With $8,200

Seattle, June 25.—"Young Mr. Lincoln," paired with "Sorority House" at the Fifth Avenue, led here with $8,200. Other grosses were generally off, with competition strong from night baseball. The weather was fair.

Estimated takings for the week ending June 23:

**"East Side of Heaven" (Univ.)**
**"Ambush" (Para.)**
BLUE MOUSE—(950) (30c-40c-55c) 7 days, 3rd week from Paramount. Gross: $3,600. (Average, $4,000)
**"Young Mr. Lincoln" (20th-Fox)**
**"Sorority House" (RKO)**
FIFTH AVENUE—(2,500) (30c-40c-55c) 8 days. Gross: $8,200. (Average, $7,000)
**"Prison Without Bars" (U. A.)**
**"Zenobia" (U. A.)**
LIBERTY—(1,800) (25c-30c-40c-55c) 7 days. Gross: $4,200. (Average, $5,000)
**"Ballerina" (Mayer-Burstyn)**
MUSIC BOX—(950) (30c-40c-55c) 7 days. Gross: $4,400. (Average, $5,000)
**"The Kid from Kokomo" (W. B.)**
**"Mr. Moto in Danger Island" (20th-Fox)**
ORPHEUM — (2,450) (30c-40c) 7 days. Gross: $5,600. (Average, $6,000)
**"Blue Montana Skies" (Repub.)**
**"Whispering Enemies" (Col.)**
PALOMAR — (1,500) (15c-25c-35c-40c) 7 days. Vaudeville headed by Colorado Hill Billies. Gross: $5,500. (Average, $5,000)
**"The Sun Never Sets" (Univ.)**
**"For Love or Money" (Univ.)**
PARAMOUNT—(3,050) (30c-40c) 7 days. Gross: $5,900. (Average, $6,000)

## 'Chips' at $14,500 Smash in Cincinnati

Cincinnati, June 25.—"Goodbye, Mr. Chips" came through with a smash $14,500 at the RKO Palace. "Juarez" gave the RKO Capitol $6,000 in the second week. Business was only fair otherwise.

Estimated takings for the week ending June 21-24:

**"Young Mr. Lincoln" (20th-Fox)**
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $9,500. (Average, $12,000)
**"Goodbye, Mr. Chips" (M-G-M)**
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $14,500. (Average, $10,000)
**"Juarez" (W. B.)**
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $6,000. (Average, $6.500)
**"Ex-Champ" (Univ.)**
RKO LYRIC—(1,400) (35c-42c) 7 days. Gross: $3,000. (Average, $5,000)
**"Only Angels Have Wings" (Col.)**
RKO GRAND—(1,200) (25c-40c) 7 days, 3rd week. Gross: $2,250. (Average, $2,750)
**"Within the Law" (M-G-M) (2 days)**
**"Sweepstakes Winner" (W. B.) (3 days)**
**"Rookie Cop" (RKO) (2 days)**
RKO FAMILY—(1,000) (15c-25c). Gross: $1,800. (Average, $2,400)
**"Clouds Over Europe" (Col.)**
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $3,400. (Average, $6,000)

## 'Happiness' Clears $8,000, Providence

Providence, June 25.—"Invitation to Happiness" and "Silver on the Sage," dualed at the Strand, took $8,000. Other houses did well.

Estimated takings for the week ending June 21-22:

**"Invitation to Happiness" (Para.)**
**"Silver on the Sage" (Para.)**
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $6,000)
**"Tarzan Finds a Son" (M-G-M)**
**"Panama Patrol" (G. N.)**
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,700. (Average, $11,000)
**"The Sun Never Sets" (Univ.)**
**"For Love or Money" (Univ.)**
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $7,000)
**"Maisie" (M-G-M)**
**"6,000 Enemies" (M-G-M)**
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $3,500)

# FEATURING JESSE L. LASKY'S "GATEWAY T

***Your first chance to ballyhoo the boy and girl chosen from thousands through the great thirteen-week, coast-to-coast network quest for new screen personalities!... HERE THEY ARE—companioned by a solid box-office cast... in a marvelous heart drama made from a spectacularly popular novel! A swell picture on its own—a double-barreled attraction with the "Gateway" victors!***

# "Career"

*with* **ANNE SHIRLEY · EDWARD ELLIS**
**SAMUEL S. HINDS · JANET BEECHER**
**LEON ERROL** *and*
**ALICE EDEN · JOHN ARCHER**
*selected through*
**JESSE L. LASKY'S**
**"GATEWAY TO HOLLYWOOD"**
**TALENT SEARCH**

AREER
STONG
COURT, BRACE
CAREER
by
PHIL
STONG

**Directed by Leigh Jaso**
**Produced by Robert Sisk**
*Screen Play by Dalton Trumbo*
*Adaptation by Bert Granet*

# OLLYWOOD" TALENT-SEARCH DISCOVERIES!

**ALICE EDEN**

**JOHN ARCHER**

## MAMMOTH "DOWN-HOME" PREMIERE IN DES MOINES!

. . . Iowa's own story and Iowa's own author will capture the whole State for the week-end of July 1 and 2! Every wheel that can turn heading for Des Moines to see the "big doin's"! . . . Special Rock Island train from Hollywood with the cast and other personalities . . . Big movie ball in the Drake football stadium! . . . Parades, meetings, luncheons, interviews, final broadcast of the second "Gateway" series before 5,000 people! . . . Service clubs, women's organizations, all civic groups excitedly enthused . . . Des Moines Register & Tribune cooperating in the biggest build-up the State has ever seen . . . Every eye in Iowa turned to the Paramount and Orpheum Theatres for the joint world premiere on July 2! . . . A PROMOTION THAT WILL RE-ECHO ITS BOX-OFFICE BENEFITS TO EVERY STATE IN THE UNION!

R K O
RADIO
PICTURES

# Short Subject Reviews

### "Bear That Couldn't Sleep"

*(Ising-M-G-M)*

Done in color, this cartoon tells the story of a bear who settles into bed ready to hibernate for the winter. He sets his alarm clock for March 1 and bolts the door. A number of disturbances, such as a leaky roof and banging shutters keep him awake for a while and insomnia does the rest. As he dozes off, the birds signal the advent of spring. Pleasant and amusing. Running time, 9 mins.

### "Poetry of Nature"

*(M-G-M)*

Photography of wild life in the California redwood forests is excellent in this reel. To some unusual and amusing shots, is added Pete Smith's commentary which gives the reel continuity. Pete describes a crow which steals eggs of other birds. Running time, 8 mins.

### "Help Wanted"

*(M-G-M)*

Latest in the "Crime Does Not Pay" series exposes the employment agency racket. It tells the story of unscrupulous agencies which induce employers and foremen to hire men for a month, collect half their pay as commissions, and then discharge them to make way for a new crew. It packs a dramatic punch. Running time, 21 mins.

## Mealand Paramount Eastern Story Head

Richard Mealand, former associate editor of *Good Housekeeping,* has been appointed eastern story editor for Paramount, under the supervision of Russell Holman, New York production head.

Mealand succeeds Richard Halliday, who will report at the Paramount studio July 5 to assume his new post as head of the studio story department. Mealand will share editorial duties here with John Byram, continuing as eastern play editor. Mealand will start in his new post immediately.

## Permit Sunday Films

New Bern, N. C., June 25.—Board of Aldermen has voted to legalize Sunday films here. The shows will be held from 2 to 6 P. M. and after 9:15 P. M.

## "Juarez" in Mexico City

Mexico City, June 25.—Warners "Juarez" enjoyed a brilliant premiere in the government's Palace of Fine Arts National Theatre here with numerous high government officials and socialites attending. It is the first commercial film to be screened in the Palace.

## Roosevelt Back on Job

Hollywood, June 25.—James Roosevelt returned to his duties Saturday at the Goldwyn studio following a checkup on his physical condition at the Mayo Clinic, Rochester, Minn.

# Seasonal Decline Reduces Key Grosses to $1,133,950

The seasonal decline in business, plus the customary summer closings of many theatres throughout the country, accounted for the drop in the aggregate of key city grosses for the week ending June 15-16.

The total, from 141 theatres in 24 cities, was $1,133,950, which compares, for example, with a total of $1,256,050 from 153 theatres in 24 cities for the week ending June 1-2, according to Motion Picture Daily's tabulation of box-office receipts. The aggregate from 143 houses in 24 cities for the week ending June 8-9 was $1,141,700.

Tabulation of key city grosses weekly from Sept. 8-9 follows:

| | *No. Theatres* | *Gross* |
|---|---|---|
| Sept. 8-9 | 138 | $1,572,099 |
| Sept. 15-16 | 137 | 1,407,481 |
| Sept. 22-23 | 138 | 1,382,059 |
| Sept. 29-30 | 137 | 1,398,438 |
| Oct. 6- 7 | 137 | 1,519,793 |
| Oct. 13-14 | 138 | 1,429,288 |
| Oct. 20-21 | 138 | 1,430,924 |
| Oct. 27-28 | 140 | 1,394,023 |
| Nov. 3- 4 | 142 | 1,353,407 |
| Nov. 10-11 | 141 | 1,386,939 |
| Nov. 17-18 | 143 | 1,323,918 |
| Nov. 24-25 | 141 | 1,283,153 |
| Dec. 1- 2 | 142 | 1,461,730 |
| Dec. 8- 9 | 140 | 1,275,136 |
| Dec. 15-16 | 134 | 1,159,371 |
| Dec. 22-23 | 139 | 1,041,911 |
| Dec. 29-30 | 150 | 1,562,044 |
| Jan. 5- 6, 1939 | 151 | 1,829,822 |
| Jan. 12-13 | 145 | 1,372,400 |
| Jan. 19-20 | 146 | 1,368,322 |
| Jan. 26-27 | 145 | 1,345,715 |
| Feb. 2- 3 | 147 | 1,469,400 |
| Feb. 9-10 | 147 | 1,494,600 |
| Feb. 16-17 | 146 | 1,393,100 |
| Feb. 23-24 | 147 | 1,417,700 |
| March 2- 3 | 146 | 1,400,000 |
| March 9-10 | 147 | 1,352,050 |
| March 16-17 | 155 | 1,366,800 |
| March 23-24 | 154 | 1,439,600 |
| March 30-31 | 151 | 1,322,225 |
| April 6- 7 | 151 | 1,283,100 |
| April 13-14 | 154 | 1,639,300 |
| April 20-21 | 149 | 1,432,900 |
| April 27-28 | 151 | 1,401,600 |
| May 4- 5 | 154 | 1,386,280 |
| May 11-12 | 155 | 1,352,845 |
| May 18-19 | 154 | 1,318,300 |
| May 25-26 | 155 | 1,274,050 |
| June 1- 2 | 153 | 1,256,050 |
| June 8- 9 | 143 | 1,141,700 |
| June 15-16 | 141 | 1,133,950 |

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# 'Juarez' Best With $11,000; Denver Gains

Denver, June 25.—"Juarez" was the leader here, with $11,000 at the Denver. "Invitation to Happiness" also was strong, clearing $8,000 at the Denham. Business generally was good.

Estimated takings for the week ending June 21:

**"Only Angels Have Wings" (Col.)**
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $3,500)

**"Invitation to Happiness" (Para.)**
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,000. (Average, $6,500)

**"Juarez" (W. B.)**
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)

**"Five Came Back" (RKO)**
**"Girl From Mexico" (RKO)**
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $7,000. (Average, $8,500)

**"The Gorilla" (20th-Fox)**
**"Blind Alley" (Col.)**
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)

**"Rose of Washington Square" (20th-Fox)**
**"Trapped in the Sky" (Col.)**
RIALTO—(878) (25c-40c) 7 days. "Rose" 3rd week. Gross: $2,500. (Average, $1,750)

## Variety Club Award To Flanagan Today

Omaha, June 25.—Variety Clubs of America will present the organization's national humanitarian award here tomorrow to Msgr. Edward J. Flanagan, founder and director of Boys Town, Neb.

John H. Harris of Pittsburgh, national chief barker; John J. Maloney, Pittsburgh, Heart of Variety, and R. J. O'Donnell, Dallas, national chairman, will be on hand to participate in the ceremonies. Business and civic leaders and persons prominent in the industry will attend the affair.

John B. Kennedy, radio news commentator, will be principal speaker.

Harry J. Shumow, M-G-M exchange manager and chief barker of the Omaha club, is in charge of arrangements.

## Franklyn Warner Sets Two Features

Franklyn Warner, head of Fine Arts Pictures, will start production on two new features this week, he said Saturday prior to his departure from New York for the Coast.

Warner was here last week for conferences with E. W. Hammons, Educational-Grand National head, on future releasing arrangements with the latter company.

Warner said that a distribution deal for the new pictures would await the outcome of the scheduled meeting of Educational-Grand National stockholders on Thursday at which proposed new financing for the company would be considered.

## Hampden to Films; 38 Years on Stage

Hollywood, June 25. — Walter Hampden, famous actor, Saturday capitulated to the movies after a 38-year career on the legitimate stage. He was signed by RKO to play the role of the archbishop in "The Hunchback of Notre Dame" with Charles Laughton.

1939-40
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INTERNATIONAL
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ALMANAC
EDITED BY TERRY RAMSAYE

# *Coming Soon!*

**THE INDUSTRY'S WORLDWIDE REFERENCE AUTHORITY**

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# MOTION PICTURE ALMANAC

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Revised, enlarged and brought up to the minute, it will include every development of a dramatic year. There will be more than 1,200 pages crammed with facts and figures covering every phase of the motion picture industry.

The Who's Who Section will record over 11,000 biographies; statistical data will include every branch of Production, Distribution and Exhibition. And . . . *also* a Radio Department.

**RDER TODAY—$3.25 POSTPAID**

QUIGLEY PUBLICATIONS
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## Grosses Hold On Broadway, Outside Cities

Circuit business out of town is running better than last year, according to Loew's officials, who attribute this to a number of strong attractions. It is expected that business will hold its own through the Summer, and few closings are indicated.

Oscar A. Doob, Loew advertising and publicity chief, worked out an "optimism" story with Jack Smith of the *Journal-American,* the idea being to counteract the word of mouth and newspaper reports that "main stem" theatre business was off on account of the World's Fair draw and the columnists' quips that "Grover Whalen had given Broadway six weeks to get out of town."

The paper ran a six-column photo layout showing crowds in front of Loew's State, Capitol, Music Hall and other theatres an an appropriate story. The caption said, "Business is picking up on Broadway."

Theatre grosses along the "main stem" were reported up in the last

## BBC Use of U. S. Shorts Is Halted

Opposition of distribution executives of American companies in London to the proposal for making old short subjects available to British Broadcasting Co. for television use appears to have successfully barred the move for the present.

Television committee of the M. P. P. D. A. will prepare both a majority and minority report on the B. B. C. request in the next week or 10 days, it is believed. Indications are that the majority report will recommend rejection of the British application for films and the minority report will set forth reasons for giving future consideration to the request.

### *Ex-RKO Directors Out of Trust Action*

Former directors of RKO will be dropped as defendants in the Government's anti-trust suit, under a stipulation entered with Federal Judge Bondy on Saturday.

The former board members are Cornelius N. Bliss, Edward W. Harder, DeWitt Millhauser, David Sarnoff, M. H. Aylesworth, Maurice Goodman, Frederick Strauss. Also dropped is Courtland Smith, former president of Pathe News.

New board members will be added as defendants when Judge Bondy approves the directorate.

### *New Shares Issued By Transamerican*

ALBANY, June 25.—Issuance of new shares and elimination of the old stock set-up by Transamerican Broadcasting and Television Corp. were made known here through papers submitted to Michael F. Walsh, Secretary of State, by Sol A. Rosenblatt, New York. Formerly, 2,000 shares, with no par value, were in existence. The present plan permits 3,500 shares, with 1,000 common, no par, and 2,500 preferred with par value of $100 each.

## BANNER LINES

By JACK BANNER

**FIGHT A BARGAIN** . . . According to our information, and it is utterly reliable, the Magazine Repeating Razor Co. is paying a flat half-hour of $6,000 in time charges for the 59 Blue network stations that will carry the Joe Louis-Tony Galento fight. That's the time fee whether the fight goes the full hour, or closes in one punch.

This, by all odds, is probably the most advantageous time buy since radio became available to nationwide ears. Compared to what Buick Motor Co. paid in time charges for the past two Louis fights, it is a drop in the bucket.

Just how much the client is paying Fight Promoter Mike Jacobs for the fight is not known, although presumably this fee, too, is a bargain because of the difficulty encountered in selling the fight. The client in addition will pay for the announcers and commentators. Ben Grauer will be the roving interviewer, Bill Stern will do the blow-by-blow, and Howard Petrie will deliver the commercials from the studio. As yet unselected is the announcer who will do the "color" angle of the fight.

▼

**NBC TOUR CLEANUP** . . . Cash from World Fair visitors is clinking a merry tune in the NBC cash registers for studio and television tours. Friday was the all-time attendance high for the year, with payees numbering 3,055. Biggest tour business was during the American Legion convention here, but NBC expects to top the Legion mark when the Fair trek gets under full headway, some time in July.

▼

**TRANSCRIPTIONS CLICK** . . . Transcribed shows, "Meet Miss Julia" and "Career of Alice Blair," which have been undergoing tests on a handful of stations during the past few months, have proved airworthy, and starting July 10 they'll be spotted over 51 stations. They are McCann-Erickson programs, for Flit and Daggett & Ramsdell, respectively.

▼

**AGENCY DIDOS** . . . Quite wonderful are the ways of agency folk. We've just learned that the J. Walter Thompson offices in Chicago include a number of "thinking rooms." After a session in one of the rooms, jaded copywriters are supposed to emerge with minds refreshed. Also, the Neisser-Meyerhoff agency features a round "huddle desk." Idea men sit in the slots of the circular desk, noses almost touching, and stare at each other until an idea arrives.

▼

**PERSONALS** . . . Tom Fizdale left Friday for a number of days in Chicago. . . . Ruth Chatterton, who has never before been heard on a script show, has been signed for a lead role in the network serial, "Big Sister." . . . Niles Trammell of NBC will address the Woodmen of the World tonight. . . . Bette Davis had a throat ailment and consequently was unable to fulfill her date on Chase & Sanborn yesterday. . . . Walter G. Preston, Jr., assistant to John Royal, has been elected to serve on the Yale Alumni Board . . . Tenor John Carter was tendered a farewell dinner yesterday at the Bear Mountain Inn. He returns to Hollywood this week.

▼

**CBS SHIFT** . . . Ed Cashman of the CBS artists bureau, has been converted into a producer and is currently handling the Hal Kemp "Time to Shine" show. Peter Toyer from the West Coast will replace Cashman in the artist bureau.

▼

**RENEWAL** . . . Beneficial Management Corp., sponsoring the script serial, "Doc Barclay's Daughters," has written a second 26-week renewal of the series. Blackett-Sample-Hummert is the agency.

▼

**ADD SUGGESTIONS** . . . From Tom Casey of the Ivy Lee-T. J. Ross offices, a note anent our recent suggestion that NBC triy to sell the Louis-Galento fight to Bristol-Myers for Vitalis "the 60 second workout," and Minit-Rub. "If Tony is still in the ring after four rounds," writes Casey, "he ought to be groggy enough to make the customers appreciate a Plymouth-Chrysler Tie-up: 'Look at All Three!'"

### *Radio Executives Back from Abroad*

Radio contingent which arrived Saturday on the new Cunard liner *Mauretania,* comprised Johnny Johnstone, publicity director of WOR; John Steele, European commentator for Mutual; William Shirer, European representative of CBS; Miss Mildred Boutwood for NBC; Michael Wren of Transradio; and B. D. Freeston, C. J. Gardiner, L. F. Lewis, A. R. Phillips and F. W. Chignall, all of British Broadcasting Corp.

### *Gregg on Far East Tour*

E. S. Gregg, general foreign manager of ERPI, departed Sunday on a four months' inspection tour of his company's activities in the Far East. After a brief stop on the coast, he will sail from San Francisco June 30.

### *Radio Technicians Will Join A. F. of L.*

OMAHA, June 25.—Members of Associated Broadcast Technicians, independent radio union, will soon affiliate with the A. F. of L., according to Walter Myers of KOWH, national vice-president of A. B. T.

The Omaha-Lincoln chapter, of which Myers is president, includes 30 technicians from staffs of KOIL and KOWH, Omaha, and KFOR and KFAB, Lincoln.

### *'Dr. I. Q.' Shifts July 10*

Mars, Inc., sponsoring the quiz series, "Dr. I. Q." over a split Blue network, without a New York City outlet, is shifting the series to the Red network beginning July 10. The network will comprise 32 stations, including WEAF.

## British Film Parley Take Up Televisio

LONDON, June 25.—Television v
be the major subject before the a
nual Summer conference of the Ci
matograph Exhibitors' Associ
which opens tomorrow at Black
seaside resort.

Among important speakers and su
jects will be Reginald Stamp, ent
tainment chief of the London Cou
Council, on theatre licensing; Ca
Richard Norton, production executi
on production; A. B. Watts, on e
hibitor problems; and Major C.
Bell, on television.

"The Sun Never Sets," Univer
film, and "Poison Pen," Associat
British release, are to be screened.

### *Kansas Will Chang Tax Payment Syste*

TOPEKA, Kan., June 25.—The lo
bracket system of sales tax payme
is expected to be adopted by the Ka
sas tax commission for collection
the two per cent levy when the pr
ent tokens go out on July 1. T
system calls for one cent on pu
chases of 15 cents to 65 cents, t
cents on purchases of 65 cents
$1.15, no tax on purchases of l
than 15 cents.

Since it is mandatory under t
Kansas sales tax law that the reta
er, or exhibitor, report on all sa
and pay the tax on them, 10-cent a
missions, unless bought in groups
two or more, won't return the exhi
tor anything. However, the perce
tage collected on the 15, 20, 25, a
30-cent admissions—or any less th
50 cents—will yield more than t
prescribed two per cent. Exhibito
in states using the bracket system
collection have found it profitable,
is said.

### *RKO Books Called In Suit Over Rent*

Supreme Court Justice Carew
Saturday signed an order for exan
nation before trial of RKO officials
connection with the suit of S. and
Sonn for recovery of rents involvi
the RKO White Plains.

The sweeping order calls for d
covery of books and records of t
entire RKO circuit. Plaintiffs clai
the circuits defaulted in rent and se
$200,000.

Defendants are RKO Theatres Cor
RKO Service Corp., RKO Film Boo
ing Corp. Plaintiffs are represent
by Weisman, Quinn, Allan and Spe

### *Canty Quits Universal*

George R. Canty, formerly engag
in the diplomatic service of the U.
Government, but who for the past tw
years has been Universal's Gener
Manager for Continental Europe, h
just resigned his position with Un
versal in order to return to his wo
with the Government.

### *RCA Promotes Two*

Appointment of Fred W. Wentk
as assistant Photophone division ma
ager, and of W. L. Jones as nation
service manager, has been announc
by the RCA Manufacturing Compan

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Alert, ntelligent and Indispensable to the Motion Picture Industry

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First in Film and Radio News Brief, Accurate and Impartial

OL. 45. NO. 123 NEW YORK, TUESDAY, JUNE 27, 1939 TEN CENTS

# Split in AFA Widens; Trial Board Picked

## Act to Oust Whitehead; Hearing on July 10

A grievance meeting of about 500 ti-administration members of the merican Federation of Actors was ld early this morning at the Palm arden.

It was indicated before the session at the meeting would adopt a resotion asking the removal of Ralph hitehead, executive secretary. They so were expected to decide on acon to be taken at the trial of the .F.A executives July 10 before the ssociated Actors and Artistes of merica, parent body.

The 4A, meanwhile, is considering ssible action against the A.F.A. for faulting in its answer to the 4A pecific charges, due Saturday.

The procedure against the A.F.A. being challenged by Abraham J. alprin, its counsel, who conferred esterday with Joseph A. Padway, eneral counsel for the American ederation of Labor.

A trial board of more than 30 embers on July 10 will hear charges maladministration preferred against e A.F.A. The hearing will be bere the international board of the A's including delegates from the 11 filiated unions.

Besides the A.F.A. representatives, hich are to be named, the trial jury ill include:

Actors' Equity: Walter N. Greaza, eed Brown, Jr., Maida Reade; Winred Lenihan, Benjamin S. Lackland, ternates.

Screen Actors Guild: Lucille Gleaon, Richard Bishop, Frank Mcellis.

American Federation of Radio Artts: Alex McKee, Mark Smith, rs. Emily Holt; Wilfred Lytell, ed Corsia, alternates.

American Guild of Musical Artists:

(*Continued on page 8*)

# Michalove to Fill Post in Australia

Dan Michalove, assistant to S. R. ent, president of 20th Century-Fox, eaves for Australia in August or eptember in an advisory capacity on perations of the new General Thetres circuit, which will consist of e merged Hoyts and Greater Union nterests. He probably will be there wo years. Michalove spent about ve months in Australia last year in nection with a survey of the Hoyts eatres.

## *Majors to Answer Trust Suit Thursday*

**Answers of the majors to the Government's anti-trust suit will contend that the Government figures and statistics in its complaint are inaccurate, attorneys for defendants revealed yesterday. The major defendants, which expect to file separate answers on Thursday, will ask for a dismissal of the complaint with a forthright denial of all Government charges. The Government will also be taken to task for alleged misuse of trade terms, attorneys said.**

# Oklahoma Theatre Men Elect Today

OKLAHOMA CITY, June 26.—Election of officers will be the principal business confronting the annual convention of the Oklahoma Theatre Owners, Inc., here tomorrow.

Yesterday afternoon the following nominating committee was appointed to formulate overnight the slate of officers: Ralph Talbot, Tulsa; Leonard White, Weatherford; C. O. Fulgham, Oklahoma City; Luther Groves, Sapulpa, and Carl Burton of Cordell.

Tomorrow afternoon Ed Kuykendall, president of M. P. T. O. A., will speak. He will discuss trade practices, block booking and other problems vital to the film industry.

The convention is expected to vote upon the acceptance or rejection of the arbitration clauses as now in-

(*Continued on page 8*)

# Broadway Fetes For Eddie Cantor; Returns to Stage

Eddie Cantor's return to a Broadway theatre after an absence of six years from the Main Stem will be celebrated tomorrow and Thursday by the Broadway Association. Cantor begins a week's engagement at the Loew's State theatre Thursday, and this is part of the ballyhoo.

Tomorrow the Association will sponsor a luncheon honoring the comedian at the Astor, with 200 expected. Present will be Mayor F. H. LaGuardia, Borough President Stanley Isaacs, James J. Walker, former mayor, and a host of Broadway personalities including George M. Cohan, Rudy Vallee, George Jessel, Fred Waring. Harry Richman and others.

A scroll signed by everyone present will be presented to Cantor "in appreciation for all he has done and will do for Broadway."

Prior to the luncheon Cantor will officiate at the dedication of the Loew-M-G-M World's Fair Information Center at Times Square.

At Thursday noon Cantor will be the center of a parade starting at 57th and Broadway to Loew's State.

The State has designated days for boroughs of Manhattan, Bronx, Brooklyn and Queens. Saturday will be East Side Day. The final night, Wednesday, will be a celebration by the Grand Street Boys Association The members will march to the theatre in a body. Former Judge Jonah J. Goldstein, president, will present Cantor a diamond pin insignia of the Association.

# *Late News Flashes*

CHICAGO, June 26.—Postponement of the independents' suit against Balaban & Katz and the majors until Fall seemed likely today when it was learned that the defendants' attorneys and witnesses will be tied up with the government's case here for some months. Next hearing on the independents' suit is Friday at which time Judge Wilkerson will probably set a date for early this Fall.

HOLLYWOOD, June 26.—Del Goodman, Far East distribution manager for Twentieth Century-Fox, who arrived today for studio conferences, said that, although China and Japan now furnish a negligible market, India is far more favorable. He added that Fox is now planning to aid Indian production and distribution. Goodman leaves for New York later this week.

LOS ANGELES, June 26.—Attorney A. Brigham Rose for deposed officers of Technicians Local 37 today closed the presentation of testimony by attacking the validity of a telegram purportedly from George Browne, I.A.T.S.E. head, ordering seizure of the Local's premises and books last March. Counsel for two International officers in charge of Hollywood affairs will open the defense case tomorrow morning. The Local's testimony, which has consumed several weeks of trial in Superior Court, seeks to set aside I.A.T.S.E. cancellation of the charter and restore autonomy to it.

# Hope for Code Despite Defeat By Allied: Kent

## *It's Negotiation or Court On Trust Suit, He Says*

By SAM SHAIN

Anti-trust laws, the trade practice code and the Spanish language film situation in South America held reporters' interest when they met Sidney R. Kent, president of 20th Century - Fox, yesterday, upon his return to the States after attending successful sales meetings of his company in Buenos Aires and Trinidad.

Sidney R. Kent

On the pending anti-trust law suit in New York by the Government against major companies, Kent said:

"All the industry can do is to try to negotiate out of the case or battle it through the courts."

### Distributors' Final Offer

On the trade practice code, he stated:

"The rejection of the code by Allied is not the determining effect of the code. It may have to be tackled from another angle. The distributors have made their final offer.

"Allied's rejection of the trade practice code, was not unexpected."

Kent recalled to the inquiring newsmen that he had predicted such Allied action as possible, at the time he sailed for South America, several weeks ago.

The code will be submitted to exhibitors individually, in view of Allied's recent action.

### Calls Myers Presumptuous

"After we have made all the concessions possible, we would probably have a better chance with the Government than with Allied. I would rather take chances with Thurman Arnold than with Abram Myers. Arnold has a job to do and we know that he is doing it the best he knows how.

"We don't know what is in Myers' mind—certainly he can't be thinking of peace.

"Abram Myers is presumptuous in expecting us to talk with him on divorcement. Such discussions cannot

(*Continued on page 2*)

# Theatres Vote to End Policy Of Giveaways

Beginning next Monday, July 3, a number of theatres in the Manhattan midtown section will eliminate giveaways of all kinds. The agreement includes Loew's, RKO, Brandt, Consolidated Amusement, William Yoost and others.

The areas covered are 34th to 72nd Sts., on the west side, and from 34th to 59th Sts. on the east side. This is an experiment, and if it works out may be extended.

The agreement was negotiated through the offices of the I.T.O.A., at meetings attended by C. C. Moskolitz of Loew's, John J. O'Connor of RKO, Harry Brandt, Laurence Bolognino and other circuit heads, who believe it is a step in the right direction.

Among theatres who will abolish cash prizes and premiums are Loew's 42nd St. and Lincoln Square; RKO's Colonial and 58th St.; Consolidated's Arena and Tivoli and several Brandt and Yoost houses.

## *Hays to Coast Soon*

Will H. Hays is scheduled to leave for the Coast at the end of the week where he will spend the remainder of the Summer at his Hidden Valley ranch. Hays returns to New York tomorrow from Indianapolis where he attended his son's wedding. He will preside at the adjourned meeting of the M. P. P. D. A. board on Friday and will leave for the Coast either the same day or Saturday.

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# *Purely Personal*

HARRY COHN, **Abe Schneider**, **William Sussman**, **Cresson Smith**, **Morris Helprin**, **Al Margolies**, **Monroe Greenthal**, **Sam Shain**, **Max Fellerman**, **Rube Jackter**, **Abe Montague**, **Nat Levy**, **Nate Spingold**, **Harry Cohen** (RKO), **Walter Branson**, at Lindy's for lunch yesterday.

•

**Tony Reddin**, director of advertising and publicity for Paramount in Great Britain, visited yesterday with **A-Mike Vogel**, chairman of Managers' Round Table of *Motion Picture Herald.*

•

**Larry Starsmore**, manager of Colorado Westland theatres, was married in Taos, N. M., to **Cecelia Heid** of Colorado Springs, where they will make their home.

•

**Art Cooper**, manager of the Prince Edward, Prince Edward Island, in town for the Fair, was a visitor at Managers' Round Table headquarters yesterday.

•

**Stanley Gosnell**, manager of Loew's, Toronto, was a visitor at the home office. **Eddie Richardson** of Loew's Orpheum, Boston, also was here.

•

**Mrs. Doris Wise Sideman**, secretary to **William O'Donnell**, city manager of the Interstate Circuit, Texas, is in Mexico City.

•

**Walter J. Hutchinson**, head of the foreign department of 20th Century-Fox, will arrive from Trinidad in about a week.

•

**Lee Brandenfeld**, formerly 20th Century-Fox manager in Czechoslovakia, has been assigned to Mexico City.

•

**Charles Coburn** is in town and will attend the opening of "Bachelor Mother," RKO film, at the Music Hall on Thursday.

•

**Joseph Moskowitz**, **Irving Hoffman**, **Arthur Lee**, **Joe Pincus**, **Jack Goetz**, **Bert Wheeler** lunching at **Bob Goldstein**'s Tavern yesterday.

•

**Basil Dean**, British producer and director, departs for England tomorrow on the *Aquitania.*

•

**Ruth Schwerin** of Monogram's publicity department was operated on at the French Hospital yesterday.

•

**Eddie Bremer** of the Kerby in Houston, Texas, is vacationing in Kerrville.

•

**Maurice Brunet** of the Columbia home office celebrates a birthday tomorrow.

•

**Walter Brown**, midwest division manager of Ross Federal Service, has returned to Chicago after a week's vacation in New York.

•

**Earle Wingart** of 20th Century-Fox publicity department is vacationing.

•

**Mary Pickford** and **Buddy Rogers** are seeing the sights in Moscow.

•

**Roy Disney** will leave for the coast on Thursday.

GEORGE W. WEEKS, vice-president in charge of sales for Monogram, has left on a tour of 21 exchanges which will take six or seven weeks. He is due back in New York about the middle of August.

•

**Nate Evans** and **Chalmers Cullins** of the Savoy and Orpheum Theatres in Memphis, Tenn.; **Nat Williams**, Interstate Enterprises, Thomasville, Ga.; **Carl A. Russell**, Valencia, Evanston, Ill., were visitors at the RKO World's Fair lounge yesterday. Also **H. M. Lowenstein**, treasurer of the Griffith Amusement Co., Ardmore, Okla.; **C. Martinez Davila**, Martinez Theatre, Santiago, Chile, and **Lane King**, Adrian Theatre, Adrian, Minn.

•

**Erich Pommer**, producer of "Jamaica Inn"; **Garson Kanin**, director of RKO's "Bachelor Mother," and **Grace Moore** will sail on the *Normandie* tomorrow. Also **Harold Rosson**, cameraman, and **Sam Levene**, actor.

•

**Jack Benny**, **Andy Devine** and **Eddie Anderson** (**Rochester**) accompanied by their wives, arrive in New York today from Waukegan, Ill., where they attended the opening of Benny's Paramount film, "Man About Town."

•

**Percy Taylor**, who has been on a leave of absence from his duties as western Canadian division manager for Columbia, has returned to Toronto from California.

•

**Ray Milland**, Paramount player, arrived in New York yesterday from abroad on the *Normandie.* He flew to the coast last night.

•

**Frank C. Walker** has returned from Butte, Mont., where he was called by the death of **Mrs. Walker**'s father.

•

**Barney Balaban**, Paramount president, is spending a week or 10 days vacationing in the Thousand Islands.

•

**Richard Thorpe**, M-G-M director, is due in New York from the coast today.

•

**Leon Goodman** of Loew's publicity department will be married Sunday to **Frances Delugo**.

•

**George Schenck**, Loew's district manager, is vacationing.

## *Legion Approves 13 Of 15 New Pictures*

National Legion of Decency has approved 13 of 15 new pictures, nine for general patronage, four for adults, and has condemned two. The films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Clouds Over Europe," "Four Feathers," "Grand Jury's Secrets," "In Old Caliente," "Land of Liberty," "Mountain Rhythm," "Mutiny on the Blackhawk," "Tarzan Finds a Son," "Western Caravans." Class A-2, Unobjectionable for Adults—"Good Girls Go to Paris," "The Magnificent Fraud," "Man About Town," "Naughty But Nice." Class C, Condemned—"Children of the Sun," "The Pace That Kills."

# Hope for Code Despite Defeat By Allied: Kent

(*Continued from page* 1)

be binding on him, on us or th United States Government."

On the South American situation the 20th Century-Fox chieftain, said

"The best way to serve South America is to give them good pictures Down there, as up here, the peopl don't want to go to inferior pictures

"There are certain types of Spanis productions which are especially suit able for local consumption. Nativ showmen can do better with thes than we can, and they should be le alone to do them."

Kent spoke highly of the fine hospitality shown to him and his associates not only by Government official in Buenos Aires and in Trinidad, bu also by exhibitors and the press.

"Nobody could have been more hospitable," he said.

"It is too bad all executives of al the American companies couldn' travel to South America and se things for themselves. It is muc more impressive from down there tha from New York."

### American Films Still Dominate Argentina

Native Spanish language film production in South America can neve hope to replace American films or that continent, in the opinion of Clemente Lococo, leading exhibitor an Spanish film producer in Buenos Aires. With his wife and daughter Lococo arrived here yesterday for a visit to this country on the *Brazil* They will be here about three months following which they plan to go to Hollywood for a visit of several weeks, looking at production and visiting the studios.

According to Lococo, native production is improving and, all told, they produce in the Argentine about 15 pictures annually, at an average of about 150,000 pesos, or approximately $40,000. He said there are certain theatres in that country which cater to a particular type of clientele which demands native production. However, in general drawing power, he says, the native pictures are not up to the standard of American productions.

MOTION PICTURE DAILY

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# INFORMATION PLEASE!

*(an easy one to answer)*

QUESTION:—it ran 41 weeks on Broadway!

—it was cheered by thrilled audiences!

—it was acclaimed by all the critics!

—it became the most discussed entertainment of last season!

—motion picture companies competed to buy screen rights!

—it has been made into a motion picture that you'll be proud to exhibit!

ANSWER:

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with Lionel Barrymore · Sir Cedric Hardwicke
Beulah Bondi · Una Merkel · Bobs Watson
Nat Pendleton · Henry Travers · Grant Mitchell
Screen Play by Alice D. G. Miller, Frank O'Neill
and Claudine West · Directed by Harold S.
Produced by Sidney Franklin.

## Twin Premiere For 'Career'; Depinet Going

Ned E. Depinet, vice-president of RKO Radio, will head a home office delegation to the twin premiere of "Career" in Des Moines next Sunday, at the Paramount and Orpheum theatres.

Others in the New York group will be Cresson Smith, western sales manager; S. Barret McCormick, advertising and publicity director; Arthur Willi, head of the eastern talent department, and Ralph Rolan.

Also expected are Walter Branson, midwest district manager with headquarters in Chicago; Jack Osserman, Chicago branch manager, and other midwest branch heads.

Almost the entire cast of "Career," including Anne Shirley, Edward Ellis, Leon Errol, and John Archer and Alice Eden, winners in the "Gateway to Hollywood" quest, will be in Des Moines. Also Jean Hersholt, Patricia Ellis, Bob Breen, Jean Parker, Joy Hodges and other players.

The Hollywood contingent will include also Jesse Lasky and eight candidates in the "Gateway to Hollywood" second finals; Phil Stong, author of "Career," and Mrs. Stong; Leigh Jason, director; Robert Palmer, casting director; Paul Snell, publicity representative for Lasky, and Frank Healy of the coast publicity staff.

Two of the eight finalists in the "Gateway to Hollywood" quest will be selected at a broadcast of the Lasky program over CBS just before the premiere of the film. They will be awarded roles in RKO's "Three Sons" and will adopt the names of Robert Stanton and Virginia Vale.

Louis Alleman and Charles Levy of RKO's publicity department are in Des Moines handling arrangements.

## *Metro Pays Honor To 'Typical Family'*

Bert Wheeler is scheduled to officiate at a Kiwanis Club luncheon today at the Towers Hotel, Brooklyn, at the presentation of a plaque to "Brooklyn's typical American family." The plaque is the gift of M-G-M's "Hardy Family" and is signed by Mickey Rooney, Lewis Stone and others. The couple chosen is Mr. and Mrs. William Van Buskirk. Eddie Dowden of Loew's handled the stunt. A similar presentation has been made in New Rochelle.

## *Hearing on 'Ecstasy'*

PHILADELPHIA, June 26.—The hearing on "Ecstasy," denied censorship approval, started today in Common Pleas court before Judge Heiligman, who continued the case until tomorrow. Elizabeth E. Craven, member of the mayor's board of theatrical control, and Mrs. Hazel Lowenstein, lawyer associated with the Legal Aid Society, defended the film while Mrs. Edna R. Carroll, chairman of the state board of censors, called certain scenes "positively indecent."

## *Warner-Danz Deal Set*

SEATTLE, June 26.—Warners has closed a deal with John Danz's Sterling Theatres, to play the Warner 1939-'40 first run, beginning Sept. 1.

## *Insider's Outlook*

### By SAM SHAIN

THERE will be a meeting of the Hays board on Friday, whereat the bigwigs of the trade once again will discuss among themselves matters pertaining to a second Washington conference among distributors, producers and Secretary of Commerce Harry Hopkins, on industry problems.

Secretary Hopkins has requested vital information from the companies which the latter are now assembling and will present to him.

Neither the information to be given Hopkins, nor the meetings already held or those which are to be held, have reference to the pending anti-trust suit. That suit is another matter entirely.

Our diminishing foreign trade is of great concern to the Department of Commerce.

Also of interest to the Government is the future of the small business man.

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FROM Al Finestone we learn about A. E. and Leonard Noerr, operators of the Regal Theatre, in Suva, Fiji Islands. Leonard is now in New York. The Noerrs are among those responsible for some unusual charitable work among the natives. With the Catholic Sisters of Suva and the Suva Rotary Club they have arranged regular film showings for a colony of 650 lepers, in the islands. These showings are twice weekly and held outdoors because the lepers are not permitted to congregate indoors.

Films are supplied by the distributors and the colony inmates sit on mats or the bare ground at the shows.

Leonard Noerr is 30 and this is his first visit to New York. Suva has only 2,000 whites out of a population of 16,000. Fijians, Chinese, Japanese and India natives make up most of the population, but films are in English.

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"GOODBYE, Mr. Chips," is being accorded the same selling policy by M-G-M as the company gave to "Pygmalion,"—"test-run" engagements backed by a special advertising and exploitation campaign, before general release. This plan proved highly successful on "Pygmalion," and already the returns on the first few showings of "Chips," are proving the policy.

"Chips" has been held over from one to five weeks wherever shown, thus far. It is in its sixth week at Los Angeles and on Broadway, and in its third week at Cleveland.

"Pygmalion," played at the Astor, Broadway, for 23 weeks. Despite the summer weather and the World's Fair, "Chips" appears strong enough to do as well if not better.

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STORIES published here and in Hollywood that Loew's was negotiating a bank loan to refund its $12,334,000 3½ percent sinking fund debentures have been officially denied by the company.

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MURRAY SILVERSTONE, head of United Artists, granted general salary increases to employes in the foreign department, last week.

## *Amusements Swell Greater City Fund*

Additional contributions to the Amusements Division of the Greater New York Fund campaign indicate greater support than in last year's drive.

The following additional major gifts have been reported: United Artists, $2,500; RKO, $2,500; Columbia Pictures, $1,000; Consolidated Amusement Enterprises (Laurence Bolognino and employes), $750; Walt Disney Productions, $500; J. E. Brulatour, Inc., $250; DuPont Film Mfg. Corp., $250; Agfa Ansco Corp., additional, $150; International Projector Corp., $100; Interboro Circuit, $100.

Also contributions from Rapf & Ruden, Gallis Films, Inc., Lenauer International Films, Arthur Mayer and Joseph Burstyn, Pax Films, World Pictures Corp.

## *Pommer-Para. Deal*

Further discussions of a new deal between Erich Pommer and Paramount will be held by the producer with David Rose, Paramount's British production head, when Pommer returns to London, the latter said yesterday. Pommer sails from New York on the *Normandie* tomorrow after four weeks here. His current deal with Paramount will be concluded by next fall.

## *Seek Mexican Law To Aid Native Films*

**Mexico City, June 26.—Producers have petitioned the local municipal government to enact a law which will make it compulsory for first run exhibitors to show a Mexican picture at least once every seven weeks and circuits to present a Mexican film once a month. The producers also ask that theatres be exempted from municipal tax payments during the weeks they present Mexican films.**

## *Dannenberg in Hospital*

CLEVELAND, June 26.—Sidney Dannenberg, head of the local Warner publicity department, is in "fair" condition at Glenville Hospital, after having been discovered by his wife with both wrists slashed. He suffered a nervous breakdown last Fall.

## *Malcolm Cook Dies*

OKMULGEE, OKLA., June 26.—Malcolm Cook, 33, manager and part owner of the Inca here, died following an operation. He is survived by his wife, parents and a brother. Burial was in Oklahoma City.

## Police Taking Games Action In Wisconsin

MILWAUKEE, June 26.—Steering clear of houses playing Bank Night, local police have confiscated equipment at Fox's Riviera and Warner-Saxe's Uptown, Modjeska and Milwaukee here, used in connection with the playing of Cash Night at the [illegible] house and Hollywood at the other three.

In response to a request for warrants against the theatres, District Attorney Herbert J. Steffes announced he would first have to study the state Supreme Court's recent decision declaring Bank Night a lottery, to determine whether or not it covers other games.

Locally, both Fox and Warner-Saxe circuits have dropped Bank Night "pending a study of the Supreme Court's ruling."

District attorneys in various cities have announced their intention of putting an end to Bank Night.

At La Crosse, Frank L. Koppelberger, general manager of the La Crosse Theatres Co., against which action was taken by Circuit Judge Robert S. Cowie, resulting in the high court decision, said Bank Night would be continued by the circuit until the lower court decides against it.

The Supreme Court decision held that lower courts have the right to halt Bank Night as a public nuisance.

## *Radio Leading Topic At Frisco Ad Parley*

SAN FRANCISCO, June 26.—With radio advertising as one of the principal themes of discussion, the 36th annual Pacific Advertising Clubs Association convention opened here today for five days, with a record-breaking attendance. Speakers include Don Gilman and Donald Thornburgh, NBC and CBS vice-presidents on the West Coast, and Lewis Allen Weiss, Mutual-Don Lee general manager. Sessions will be held at Treasure Island for the first two days.

## *John Medland Dies*

DENVER, June 26.—John Medland, 58, scenic artist who designed the sets for John Gilbert's first picture, and for "The Connecticut Yankee," died in a local hospital of injuries received in a fall. Surviving are his widow, Mrs. Helene Suher Medland, and a four-year-old daughter, Gail Germaine.

## *Sunday Films Legalized*

NEW BERN, N. C., June 26.—Sunday movies have been legalized by the board of aldermen. Shows will be held from 2 to 6 p.m. and after 9.15 p.m. Almost all other towns in this immediate area have Sunday shows.

## *Libel Suit Stands*

Application of the Knickerbocker Broadcasting Co., owner of WMCA, and Donald Besdine, to dismiss a $550,000 libel suit brought by the Metropolitan Life Insurance Co. was denied yesterday by N. Y. Supreme Court Justice T. Collins.

# Paramount's New York Hostess Speaking

"You are planning a trip to New York this summer? You want hotel reservations made for you. You want to know the easiest way to get to the World's Fair, the highlights of the Fair. You want to know how to get to Jones Beach, to Coney Island, to West Point, to the Empire State Building. You want to know the restaurants with the best food at the most reasonable price.

"All right... I'm here in a fine, big, comfortable hostess suite on the Ninth Floor of the Paramount Building on Times Square, ready to help you, your family, or your friends enjoy and get the most out of their trip to New York this summer.

"And if it's 'business as usual' for you while in town, I'll be glad to assist you with stenographic or secretarial service. In short, I'm here to give you the same neighborly, friendly service which for 25 years has characterized every dealing of this great Paramount organization."

**Miss Evelyn O'Connell**

Paramount's New York Hostess. Write, wire, 'phone her for any and all information, etc. Make her office your New York headquarters when visiting New York this summer.

# Studios Busy; 50 Films Now In Production

HOLLYWOOD, June 26.—Production was rolling along at an optimistic clip with 50 pictures shooting at the weekend. Paramount had 10 in work, M-G-M eight, with Warners and Universal tied at six each. The week showed a gain of three.

Placed before the cameras were M-G-M's "Balalaika," Paramount's "Argentina," "The Light That Failed," "Our Neighbors the Carters" and "Seventeen," RKO's "Conspiracy" and "The Day the Bookies Wept." Also started were Republic's "In Old Monterey" and "Rulers of the Wasteland," Universal's "Hawaiian Nights," Walter Wanger's "Eternally Yours," Warners' "Queer Money" and Sol Lesser's Principal production, "Everything's On Ice."

Columbia last week finished "Golden Boy," "Coast Guard" and "Blondie Takes a Vacation," while M-G-M wound up "Miracles for Sale" and "Lady of the Tropics." Monogram completed "Mr. Wong in Chinatown" and "The Man from Texas," Paramount finished "Double Dyed Deceiver," Hal Roach sent "Chump at Oxford," a Laurel-Hardy featurette, to the cutting room, 20th Century-Fox canned "The Rains Came" and Warners "Kid Nightingale."

M-G-M started four shorts, and RKO, which had finished one, started another, bringing the total in that division to five, with six more in preparation and 11 in the editing stage.

## *New Wisconsin Bill Drops Theatre Tax*

MADISON, Wis., June 26.—In response to statewide protest, including that from the film industry, the administration has introduced in the state Assembly a new tax bill which eliminates the three per cent theatre tax.

In eliminating the admission tax together with other sales tax features, the difference would be made up by tapping the state highway fund. This recommendation was made by theatremen at a legislative joint finance committee hearing in protest against the theatre tax.

The Assembly has passed a bill permitting reciprocal agreements between Wisconsin and other states on the licensing and taxing of motor trucks. The measure now goes to the Senate. It is of particular interest to film delivery firms.

## *Sue Union on Picketing*

SEATTLE, June 26.—W. T. Coy and Ernest Lindgren, owners of the Center at White Center, are asking damages of $25 a day from the operators union, Local 154 here. They assert union pickets are forcibly preventing persons from buying tickets, because the theatre's projectionists have not joined the union.

## *Reservation Deadline*

PITTSBURGH, June 26. — Advance reservations for Variety Club's eleventh annual banquet to be held Oct. 29 cannot be made after July 1, according to J. H. Harris, national head.

# *Out Hollywood Way*

HOLLYWOOD, June 26.—HEDDA HOPPER, actress-columnist, notified her readers a few weeks ago that "The Women" was not a proper property for filming, attracting no little attention by her outspoken denunciation of the M-G-M project in which she was, as of then, uncast. So now LOUELLA PARSONS, columnist-actress, tells *her* readers, in the course of an item about visiting the set where "The Women" is being produced, that she was "a little amused to see HEDDA HOPPER playing a newspaper woman, especially in view of the fact that she said she felt 'The Women' should never be put on the screen, but a job's a job in any language." "The Women" is a play by CLAIRE LUCE about woman's feline attitude toward woman.

*Buys*—M-G-M has purchased "The Days Before Lent," a novel by HAMILTON BASSO, and "Valedictory," another by MCKINLAY KANTOR. . . . LOU DIAMOND has invited independent producers to submit short subjects deemed suitable for inclusion on Paramount's shorts program.

*Writers* — HENWAR RODAKIEWICZ has signed an M-G-M contract. . . . So has MARTIN BERKELEY....... MAURICE HANLINE is writing the script of "Where There's a Will" for Warners and CHARLES BELDEN is doing "Girls Without Names" for the same studio. . . . ALLAN LEMAY is back in town after five years to write "Royal Canadian Mounted Police" for CECIL B. DEMILLE.

*Directors* — HOWARD BRETHERTON will direct "Sky Pilot" for Monogram. . . . LLOYD BACON will do "The Patent Leather Kid" for Warners and GEORGE HIPPARD has been signed as assistant director for Paramount's "The White Flame."

*Players*—BETTY GRABLE will be seen opposite JOE PENNER in RKO's "The Day the Bookies Wept.". . . MARJORIE REYNOLDS has signed with Monogram for five years. . . . Warners have cast LEO WHITE and STUART HOLMES in "Career Man," ALICE CONNORS and VERA LEWIS in "The Return of Dr. X," and DONALD CRISP gets a top role in "Captain Hornblower." M-G-M castings of the week include: EDMUND LOWE in "Our Neighbors, the Carters," LARAINE DAY in "Northwest Passage," TOM COLLINS and NELLA WALKER in "These Glamour Girls," JOSEPH CREHAN and LIBBY TAYLOR in "Babes in Arms," and DENNIS O'KEEFE and ANN MORRISS for the romantic leads in "Henry Goes Arizona."

WILFRED LAWSON will have an important role in RKO's "Alleghany Frontier," ANN SHIRLEY in the same company's "Vigil in the Night" and SPENCER CHARTERS in "The Hunchback of Notre Dame.". . . Eight-year-old SCOTTY BECKETT will be seen in Paramount's "Our Neighbors, the Carters.". . . JOYCE BRYANT has signed with SAM KATZMAN to play a principal role in Victory Pictures' "Fighting Renegade.". . . ANNA DEMETRIO, Spanish character player, will appear in two films to be made by Cine Sono in South America.

*Title Trouble*—Warners have rechristened "The Knight and the Lady" as "The Lady and the Knight," BETTY DAVIS and ERROL FLYNN being the stars thereof, and have renamed "Girls' Reform School" "Girls Without Names.". . . M-G-M has changed the name of "Pups and Penguins," an Our Gang comedy, to "Dog Daze."

# *Theatre, Personnel Notes*

### Griffth Takes Three

KANSAS CITY, June 26.—Operation of the Booth and Paramount, Nebraska City, Neb., and the Booth, Auburn, Neb., has been taken over by the Griffith-Dickinson circuit here. Robert Booth, who has been associated with W. W. Booth in the operation of the houses, will remain at Nebraska City as city manager.

### Quits Jefferson Circuit

PORT ARTHUR, Tex., June 26.—Fred Putnam has resigned as manager of the Pearce here, Jefferson Amusement Co. theatre.

### Warner Managers Shifted

RACINE, WIS., June 26.—Stanley Lambert, former manager of Warners' Shore, Chicago, has been named manager of the circuit's Rialto here, succeeding Harvey Kny, named manager of the circuit's Venetian. Kny replaces Don Nichols, who has been transferred to the east.

### Lenoir Texas Manager

SAN ANTONIO, June 26.—Formerly a member of Interstate's training staff for managers here, Adkins Lenoir has assumed the management of the Plaza, a Texas-Consolidated theatre in San Marcos.

### To Show Foreign Films

Park, subsequent run Brandt house, will change its policy in the Fall to first run foreign films. Brandt's Flatbush in Brooklyn will resume its vaudeville policy about Sept. 1. Vaudeville was dropped in the house two weeks ago.

### Form Florida Theatre Firm

PENSACOLA, FLA., June 26.—Pensacola Theatrical Enterprises, Inc., has been chartered here with capital of 100 shares, $50 par value, by Grace Ortee, L. Garcia and M. Vucovich.

### Comerford Opens House

SCRANTON, Pa., June 26.—Comerford Amusement Co. has opened the new $100,000, 1,400-seat, theatre in Carlisle, Pa. Known as the Comerford, it will be managed by Arthur R. Glaser.

### Cut Milwaukee Prices

MILWAUKEE, June 26.—Fox's Wisconsin, Strand and Wisconsin, first run houses, have dropped prices from 35 to 25 cents. New policy calls for 25 cents to 1 P.M., 35 cents to 6 P.M. and 50 cents thereafter. The Warner continues to charge 35 until 6 P.M.

# 'Capt. Fury' Nets $9,600, Leads Frisc

SAN FRANCISCO, June 26.—"Fi Came Back" at the Golden Gate dre $16,000, and "Captain Fury" to $9,600 at the United Artists.

Estimated takings for the week en ing June 20-23:

**"Five Came Back" (RKO)**
GOLDEN GATE—(2,850) (35c-40c-55c) days. Stage: vaudeville. Gross: $16,0 (Average, $15,000)
**"Juarez" (W.B.)**
ST. FRANCIS—(1,400) (15c-35c-40c-5 75c) 7 days. 4th week. Gross: $5,500. (A erage, $6,000)
**"Gracie Allen Murder Case" (Par.)**
**"The Gorilla" (20th-Fox)**
PARAMOUNT—(2,740) (15c-35c-40c-5 75c) 7 days, 2nd week. Gross: $9,000. (A erage, $11,500)
**"Captain Fury" (U.A.)**
UNITED ARTISTS—(1,200) (15c-35c-4 55c-65c) 7 days. Gross: $9,600. (Avera $8,000)
**"The Kid From Kokomo" (W.B.)**
**"The Lady's From Kentucky" (Para.)**
FOX—(5,000) (15c-35c-40c-55c-75c) 7 da Gross: $13,500. (Average, $16,000)
**"Clouds Over Europe" (Col.)**
**"House of Fear" (Univ.)**
ORPHEUM—(2,440) (15c-35c-40c-55c) days. Gross: $6,700. (Average, $8,000)
**"Susannah of the Mounties" (20th-Fox)**
**"Charlie Chan in Reno" (20th-Fox)**
WARFIELD—(2,680) (15c-35c-40c-55c-7 7 days. Gross: $10,500. (Average, $12,0
**"Immortal Melodies" (Viennese Film C**
CLAY—(400) (15c-35c-40c) 7 days. Gros $800. (Average, $1,000)
**"The Puritan" (Lenaur-Int'l)**
LARKIN—(390) (15c-35c-40c) 7 days, 2 week. Gross: $1,100. (Average, $1,000)

## *Warners' Booking Drive Set in Augus*

Warners will hold a national boo ers' drive during August, according A. W. Schwalberg, supervisor of e changes.

August will be known as "Clean Month." Special promotional mat rial will be sent to bookers, and broadside, *The Booker-Salesman,* being issued weekly by A. C. Brau inger to bookers in all Warner e changes.

## *Schuyler Suit Settled*

Settlement of the suit brought b Schuyler Theatres Corp. against Co lumbia Pictures Corp. was announce yesterday. Schuyler had sought a injunction against Columbia, claimin it violated a contract made on Dec. 1938, licensing 40 pictures for plai tiff's Schuyler Theatre, with the un derstanding that the Schuyler woul receive the same dating as its com petitor, the Arden Theatre.

## *Oakland Game Raided*

OAKLAND, June 26.—Police entere the T & D Theatre and raided a so called "80 Spot" game, which Polic Chief Bodie Wallman termed a lot tery. Willard Welch, manager of th theatre, was booked for running a lot tery, and Maurice Le Vine, copy wright owner of the game, was als held. Both were released on $50 bail.

## *Baseball Competition*

SEATTLE, June 26.—Night basebal is offering heavy competition to th theatre box-offices here. Last wee more than 55,000 persons attended th ball games during the six-day serie between Seattle and Los Angeles.

# Press Women Honor Leading Air Programs

National Federation of Press Women presented certificates of award to adio programs in 14 different classications last night at the Federation's nual banquet, in the Hotel Astor. e ceremonies were broadcast by C, CBS, Mutual, Canadian Broadting Corp., and by short-wave to urope, Latin America and Asia.

Individual citations were tendered David Sarnoff for sponsoring the oscanini concerts, to Alfred McCosker for the re-broadcasting of European radio bulletins over Mutual uring the European crisis of last ear, to William S. Paley of CBS for resenting the Philharmonic Orchestra n a sustaining basis.

Another award went to Mutual and lfred J. Wallenstein, conductor of e "Sinfonietta" series, "an important ontribution to musical knowledge."

Major Gladstone Murray, of CBS, Paley, McCosker and Major Lohr of BC, each accepted the certificate in e name of his company.

### Program Awards Listed

The program awards, determined by ationwide balloting, were as follows:

Dr. William Stidger's program, Getting the Most Out of Life," sponored by Standard Brands over NBC –the best forenoon weekday program.

Best afternoon weekday program, American School of the Air," CBS.

Winning program among the news ommentators was H. V. Kaltenborn's Kaltenborn Edits the News," Pure il Co. over CBS.

Best radio program contributed by woman was Dorothy Thompson's art in "Hour of Charm," General Electric, NBC.

For good taste and restraint in advertising announcements, Ford "Sunday Evening Hour," CBS.

### Orson Welles Is Cited

Best program designed for rural listeners, "Farm and Home Hour," over NBC.

Best sustaining program for developing minds and characters of children under 12, Ireene Wicker's musical plays, NBC. A corresponding award went to Walter Damrosch, also NBC.

Orson Welles' "Mercury Playhouse," CBS, was given the award in dramatic art. "America's Town Meeting," NBC, was adjudged the most effective in presenting and building American ideals.

"The Salute to the Nations," arranged in honor of the World's Fair, received a special award. Special certificates were presented to John S. Young, World's Fair radio director who conceived the idea for the series, and Grover Whalen, president of the Fair.

Mrs. Joseph E. Goodbar, president of the Federation of Press Women, presided at the meeting.

## MGM Promotes Abner

Ben Abner has been named acting branch manager for M-G-M- in the New Jersey territory, where he has been a salesman for the company 13 years. He succeeds David A. Levy, recently appointed Universal branch head here.

# BANNER LINES

By JACK BANNER

**BAIRD PRESS MYSTERY** . . . Baird large screen television has received enthusiastic acclaim in all of the trade press, but other than a few brief review lines which appeared in the *Daily News,* no other general newspaper has published a word about the company's demonstrations. *New York Times,* among other newspapers, had a man at the initial showing of the Baird large screen, and we know for a fact that the reporter made a favorable report of what he saw, yet the piece was not published.

▼

**UNIVERSAL-NBC FETE McNAMEE** . . . Graham McNamee started spieling words for NBC 16 years ago, and for Universal newsreel 10 years ago. Both companies will tender a reception in Graham's honor Thursday in the Rockefeller Center Club.

▼

**A FIRST** . . . Hotel Roosevelt becomes the first hotel to go on the networks with a sponsored series. Starting tomorrow, the Roosevelt will try out a three times weekly show over Mutual, with Ed East interviewing guests of the hotel on World Fair impressions. Show will be on the air from 1:15 to 1:30 P.M., utilizing six stations in Chicago, Cincinnati, Detroit, Boston, Providence, Cleveland. It'll be tested for six weeks.

▼

**TELEVISION** . . . Over-all cost to NBC for those evening hour-length television performances, runs to about $600 a performance, including cast, costuming and settings. Currently the network is hiring the required accoutrements from local costumers and warehouses, but it's only a question of short time before NBC will start building its own costuming and prop departments. Practically the only condition holding them back now is the lack of storage space at Radio City.

Incidentally, the network is ordering its second televison mobile unit for outdoor pickups.

▼

**RADIO MIRROR'S BAND WINNERS** . . . MacFadden Publication's Radio Mirror is announcing Eddie Duchin as the winner of its band contest, with runners-up, Benny Goodman, Horace Heidt, Sammy Kaye, Guy Lombardo, Kay Kyser, Tommy Dorsey, Art Shaw, Freddie Martin, Rudy Vallee. Couple of strange names in that list of the nation's "big 10," but that's the way the Mirror's fans voted.

▼

**PERSONALS** . . . Lowell Thomas is writing a book on radio and television. . . . Chris Mathison, radio editor of the *Washington Star,* transferred to general news work. . . . Richard Gilbert, managing editor of *Metronome,* replacing Sidney Kaufman as conductor of the "Cinema Comment" series over WQXR. . . . Colleen Moore and her doll house will be on "Hobby Lobby" tomorrow. . . . Ralph Edwards succeeds Harry Von Zell as announcer on the Phil Baker show. . . . Jack Miller's orchestra assigned to the "Aldrich Family" program as it replaces Jack Benny.

▼

**MUTUAL WORKS, NBC REAPS** . . . Fulton Lewis, Mutual's Washington commentator, fought strenuously for two years to obtain the same rights for radio commentators that newspaper writers enjoy in the House. Yesterday, about two hours after Congress had adopted a resolution permitting commentators to broadcast from a radio gallery, NBC was on the air from the House with a broadcast by H. R. Baukhage.

## WLW Loses Fight Over Super-Power

WASHINGTON, June 26.—Orders of the Federal Communications Commission revoking the super-power experimental license of Crosley station WLW, Cincinnati, were affirmed today by the District of Columbia Court of Appeals. The decision maintained that WLW's appeal was an effort to retain privileges which had been granted temporarily and which it knew could be recalled.

## Radio Sets Census Assured for 1940

WASHINGTON, June 26.—Census bureau officials today reversed their former attitude and agreed to take a count of radio sets in the United States as part of the 1940 census.

The decision to secure such information was made after F.C.C. officials, who originally requested the count, pointed out that the information might be of considerable value in the event of war.

## 'Second Fiddle' on Air

"Second Fiddle," 20th Century-Fox film, was extensively exploited last night when the RCA "Magic Key" program devoted its entire hour to the picture.

# 'Only Angels' Loop Winner With $34,400

CHICAGO, June 26.—"Only Angels Have Wings" zoomed to a fine $34,400 at the Chicago. "Captain Fury" at the Roosevelt and "Blind Alley" at the State-Lake took $11,300 and $12,000, respectively. Inclement weather hurt business.

Estimated takings for the week ending June 21-June 24:

**"Young Mr. Lincoln" (20th-Fox)**
APOLLO—(1,400) (35c-55c-75c) 7 days. 2nd week. Gross: $5,000) (Average, $6,500)
**"Only Angels Have Wings" (Col.)**
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $34,400. (Average, $32,000)
**"Juarez" (W.B.)**
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,700. (Average, $6,500)
**"Kid from Texas" (M-G-M)**
**"Sudden Money" (Para.)**
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $10,800. (Average, $13,000)
**"Ex-Champ" (RKO)**
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $12,000. (Average, $19,000)
**"Captain Fury" (U.A.)**
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $11,300. (Average, $11,000)
**"Blind Alley" (Col.)**
STATE-LAKE — (2,700), 25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,000. (Average, $12,000)

## Exchange Shows, Networks Urged

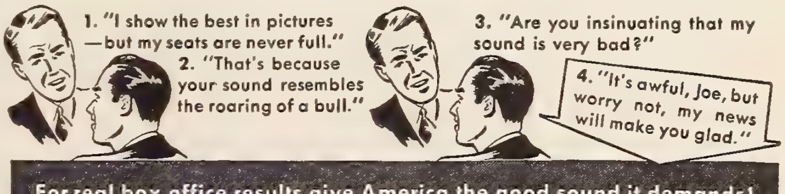
SAN FRANCISCO, June 26.—A proposal that Australian and American radio networks exchange radio productions and producers, in a manner similar to exchange professorships among universities, was advanced by William G. James, federal controller of music for the Australian Broadcasting System, on his arrival from Melbourne. James is on his way to Europe to confer with British radio leaders.

## Skinnay Ennis Signed

Skinnay Ennis has been signed again to conduct the orchestra on the Bob Hope show when it returns to NBC Oct. 3, for Pepsodent. Deal was set by Hal Hackett of MCA and Alex Holden, Ennis' manager. Lord & Thomas represented the sponsor.

## 'Inn' Opening in Fall

"Jamaica Inn," Erich Pommer production starring Charles Laughton, released by Paramount, will open at the Rivoli shortly after Labor Day.


1. "I show the best in pictures —but my seats are never full."
2. "That's because your sound resembles the roaring of a bull."
3. "Are you insinuating that my sound is very bad?"
4. "It's awful, Joe, but worry not, my news will make you glad."

For real box office results give America the good sound it demands!
INSTALL New RCA PHOTOPHONE
MAGIC VOICE OF THE SCREEN
with Rotary Stabilizer plus SHOCK-PROOF DRIVE!
Better sound means better box office—and RCA tubes mean better sound
PHOTOPHONE RCA HIGH FIDELITY SOUND
RCA Manufacturing Company, Inc.
Camden, N. J. • A Service of the Radio Corporation of America

# 'Happiness' Gets $14,500 Philadelphia

PHILADELPHIA, June 26.—Despite bad weather, "Invitation to Happiness" took $14,500 at the Boyd.

"Maisie" drew $7,300 at the Earle.

Estimated takings for the week ending June 22:

**It's Wonderful World" (M-G-M)**
ARCADIA—(600) (25c-40c-57c) 7 days. 2nd run. Gross: $2,700. (Average, $2,800)

**"Invitation to Happiness" (Para.)**
BOYD — (2,400) (32c-42c-57c) 7 days. Gross: $14,500. (Average, $14,000)

**"Maisie" (M-G-M)**
EARLE—(2,000) (26c-32c-42c) 7 days. Gross: $7,300. (Average, $8,000)

**"Tarzan Finds a Son" (M-G-M)**
FOX—(3,000) (32c-37c-42c-57c-68c) 7 days. (6 days stage). Stage: Blue Barron orchestra. Gross: $16,000. (Average, $16,000).

**"Young Mr. Lincoln" (20th-Fox)**
KARLTON—(1,000) (32c-42c-57c) 7 days. 2nd run. Gross: $3,500. (Average, $4,000)

**"Union Pacific" (Para.)**
PALACE—(1,000) (26c-42c) 7 days. 3rd run. Gross: $4,200. (Average, $4,500)

**"Only Angels Have Wings" (Col.)**
STANLEY—(3,700) (32c-42c-57c) 6 days. 2nd week. Gross: $7,000. (Average, 7 days, $14,000)

**"Juarez" (W.B.)**
STANTON—(1,700) (26c-32c-42c) 7 days. 2nd run. Gross: $7,000. (Average, $7,000)

# Oklahoma Theatre Men Elect Today

(*Continued from page* 1)

cluded in the trade practice code.

Television, visual education, screen advertising and stage shows were topics discussed by speakers today. Henry G. Bennett, president of Oklahoma A. & M. College, said that in the future adult education will be largely accomplished through films.

A telegram from William F. Rodgers, M-G-M general sales manager and chairman of the distributors' code negotiating committee, was read. It follows:

"While we do not claim that the proposed code is perfect in its general setup, we do claim that it will be of material assistance in adjudicating many differences existing in the industry. We are certain that after careful consideration, the draft as proposed will be acceptable to your organization."

# *Fox Receivership Case Ruling Upheld*

The Circuit Court of Appeals yesterday unanimously sustained a ruling of former Judge Manton in the Fox Theatres Corp. receivership, denying the right to the Trust Co. of Georgia to treat its claim of $400,000 against Fox Theatres as preferred and relegated it to the status of a general creditor. The Trust Co. originally filed claim of $1,012,333, reduced to $400,000, against Fox Theatres for damages caused by the cancellation of leases on Atlanta theatre properties.

# *Bank Night Verdict*

TROY, O., June 26.—Jury in a local court returned a verdict for C. F. Pfister, head of Troy Amusement Co., defendant in suit filed by A. J. Attenweiler, who asked judgment for $28 covering admissions to Bank Night at the Mayflower over a two-year period, plus $100 damages under the Ohio lottery law. Plaintiff is expected to appeal to Common Pleas Court.

# *Hollywood Preview*

## *"The Saint in London"*

*(RKO)*

HOLLYWOOD, June 26.—Customers need not have followed the "Saint" series up to this point to collect a full measure of satisfaction from this best of the pictures about the detective who masquerades as a criminal. Nor need they go on with the series from here, although that seems a good idea and a natural consequence. "The Saint in London" is complete without preface or followup and a completely satisfying melodrama in the best crime-detection tradition.

As has been previously reported, this number in the "Saint" series was produced in England. It was expertly directed by John Paddy Carstairs for producer William Sistrom from a tightly woven screenplay by Lynn Root and Frank Fenton based on "The Million Pound Day" by Leslie Charteris. George Sanders' performance in the title role is a splendid achievement and the work of his associates, Sally Gray, David Burns, Gordon McLeon, Henry Oscar, Athene Seyler, John Abbott and others, is uniformly excellent.

Principally concerned in the plot is the thwarting of a scheme to circulate fraudulently printed currency of an unnamed nation in the London market. Sanders, pursued by the romantically and helpfully inclined Miss Gray, gets into and out of a great number of tight situations in the course of the proceedings. There is a wealth of action but no raising of the voices engaged in delivery of finely written dialogue rich in humorous as well as melodramatic content. An especially entertaining humorous performance is contributed by Burns in the role of American ex-convict unwittingly enrolled on the side of justice.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

---

**"G" denotes general classification.*

# Trial Board Named To Air AFA Battle

(*Continued from page* 1)

Frank Chapman, Eva Gauthier, Leo Fischer; Margaret Speaks, alternate.

Chorus Equity: Philip Loeb, Alfred Kappeler, Ruth Richmond; Emily March, alternate.

Hebrew Actors Union: Jean Greenfield, Reuben Guskin, Charles Cohan.

Hungarian Actors and Artists Assn.: Tibor Garthy and Lily de Lyse.

Brother Artists Assn.: Thomas J. Phillips and Pat Kearney.

Italian Actors Union will be represented by Ario Dramis and the Hebrew Chorus Union by Michael Zwiback.

The A.F.A. has received a letter from Robert H. Thayer, assistant district attorney, denying that he has seized the books and records of the union or subpoenaed its officers as recently reported in several newspapers.

# *Morgan Back From South America Post*

Guy P. Morgan, who manages United Artists business in Chile, Argentina and Uruguay, arrived with his wife and two daughters from Buenos Aires yesterday. This is Morgan's first visit to the United States in six years. They will be here about three or four months, during which he will confer with his chiefs, Murray Silverstone and Arthur Kelly, and he probably will also visit California.

It is Morgan's view that of approximately 700 possible theatre outlets in Argentina, nearly 300 are practically closed to American product and utilize only native Spanish language films. Nearly all of these theatres operate only one day, Sunday.

# *Roach, Jr., a Producer*

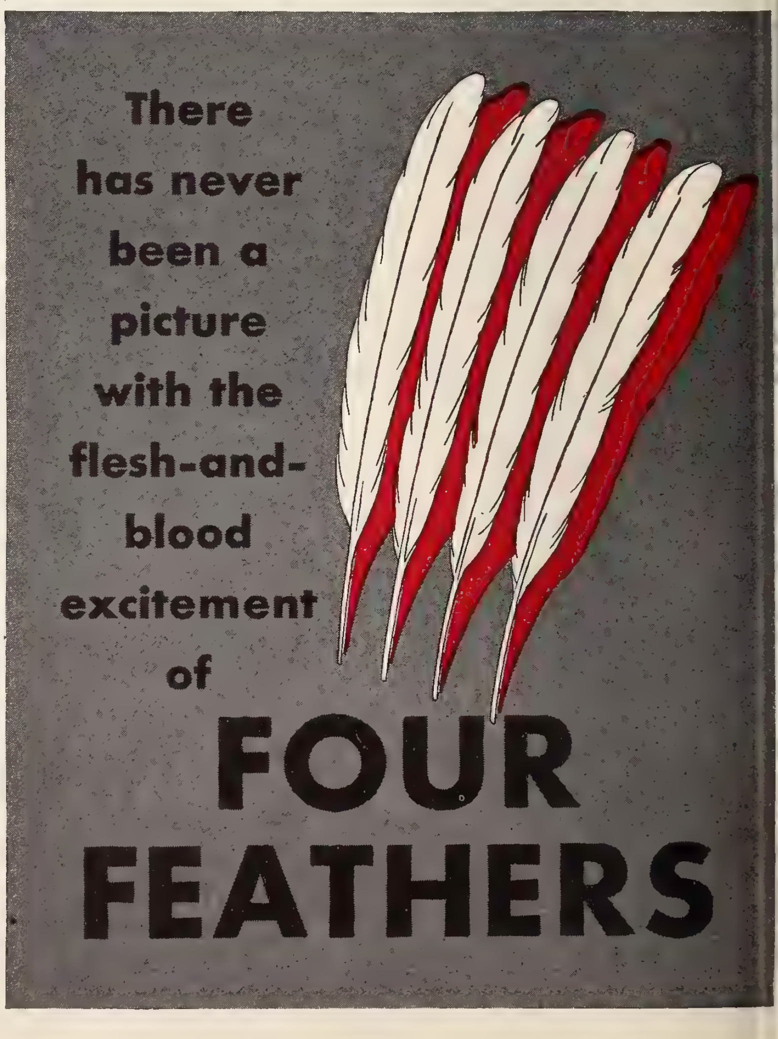
HOLLYWOOD, June 26.—Hal Roach, Jr., has been made a producer by his father, on attaining his 21st birthday.

# Little Change On N.Y. Stage Despite Pac

Sentiment among members of th Dramatists Guild and legitimate stag managers is that the proposed modifications to the minimum agreemen will make little difference in production next season. Principal re given is that the down payment, wh will be at least $15,000, is too muc for film rights in advance of production.

Experienced playwrights can, o course, obtain backing for their play from other than film sources and ar not likely to accept backing whic requires that they sell the rights i advance. As for the younger grou of dramatists, for whose benefit th modifications were devised, it is no considered likely that film companie will be willing to pay $15,000 plu weekly royalties of approximately 1 per cent of the play's gross, an gamble on its acceptance by the public.

No final action has been taken b the Guild council. Luise Sillcox, executive secretary, received a revise draft from Sidney R. Fleisher, Guil attorney, for study over the weekend. The revisions are in accordance with suggestions made at th council meeting last Tuesday. Ther is no doubt, however, that it will b accepted in time for next season' production.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## British Bank Night Scored By Exhibitors

### EA Orders Probe Into Games Situation

London, June 27.—A heated discus- on on Bank Night featured today's neral council meeting at the annual mmer conference of the Cinemato- aph Exhibitors' Association at ackpool, seaside resort.

Following the introduction of prize mes by the Gaumont circuit, the uncil characterized Bank Night as desirable, and warned exhibitors at they are risking prosecution for sembling crowds, with the resultant nger of fire and panic.

Arthur W. Jarratt, Gaumont thea- es head, defended the policy, but id Gaumont would fall in line if it uld be assured the C.E.A. would nd its members not to use the games.

At the suggestion of Ken Nyman, esident, a committee will be named investigate the entire situation of eatre inducements to the public. arious members attacked the circuits arply for the practice, which was lled undignified and shameful.

A long report on the television situ- ion was presented to the conference the general council. It was agreed at, despite the dissatisfaction with present status, especially the sys- n of payment for the right to screen ecasts, an ultimatum refusing co- eration would not yet be sent to the stmaster General, under whose risdiction are the B.B.C. telecasts.

## N. Y. Allied to Push Code Negotiations

New York Allied intends to con- ue negotiations on the trade prac- e code, despite national Allied's re- tion of the code.

"Our organization's aim is to fight r continued negotiations in the pe that a bill of rights can be writ- for the independent exhibitor," id Max A. Cohen, president. He ntinued:

"I am against Government regula- n of the business. If by negotia- n we can get relief for the dependents without Government gulation, we will do so ceaselessly, hting day and night."

Cohen added that "an exhibitors' st duty is to his own business."

Cohen said that he is opposed to eatre divorcement, which is sought

(Continued on page 7)

### Illinois Bill Bars Film Shows Longer Than 135 Minutes

**Springfield, Ill., June 27.—The State Senate today passed a bill prohibiting the showing of film shows longer than two hours and 15 minutes in Illinois. Approved by a 26 to 11 vote, the bill now goes to the House for action on a Senate amendment. If the House concurs the bill goes to the Governor.**

**The debate on the measure brought out a charge that some shows in Chicago have three features and last four hours. Opponents of the bill declared that they have had no complaints about the length of cinema shows.**

## Exhibitors of Okla. Avoid Code Action

Oklahoma City, June 27. — The Oklahoma Theatre Owners, Inc., just before closing its annual convention today, decided not to take any action upon the trade practice code.

Morris Lowenstein, re-elected president, appointed the following committee to study the code and report its recommendations to the board of directors within 30 days: L. C. Griffith, Homer Jones, Fred Pickrel, T. B. Noble, Jr., and Louis Groves.

Non-commitment on the code followed a speech by Ed Kuykendall, president of M.P.T.O.A., who urged the exhibitors to approve the code as it now stands. Griffith, president of the Griffith Amusement Co., urged delay of action until the code is fully

(Continued on page 8)

# SENATORS RESCUE FEDERAL THEATRE; 1,500 FIRED IN N. Y.

### Reorganization of 2,000 Remaining Workers Ordered in City

Four hundred dismissal notices were received yesterday from Washington by workers on Federal Theatre Project No. 1, the New York project.

A total of 1,500 will be dropped from the Federal payroll by tomorrow. All dismissal notices carry an effective date two weeks after date of issuance.

The remaining 2,000 on the project in New York will be reorganized under a new plan. No project activity, in vaudeville, light opera or circus work, currently carried on, will be abandoned completely. The supervisory personnel will be cut relatively more than the lists of workers.

"Pinocchio," "Life and Death of an American" and "Sing for Your Supper," project plays currently on Broadway, are to be continued.

Those formerly working in WPA vaudeville, light opera and circus will be reorganized into a single troupe, rotating through the year in a repertory of similar fare. Also, the several companies formerly presenting classical dramas at schools and the like will be consolidated into one company.

It was not learned whether payroll reductions will be made in other American cities.

### Approve Appropriation; Local Agencies Share Cost After Oct. 31

Washington, June 27.—The Senate Appropriations Committee, in reporting the 1940 relief funds measure today to the Senate, authorized continuation of the Federal Theatre project.

The project, ordered discontinued June 30 by a House committee, will be continued on one condition, i.e., that after October 31 local interests shall share the cost of maintaining the Federal theatre as they do in respect to other WPA activities.

**8,000 Employed on Project**

Testimony at hearings before the Senate committee revealed that there are almost 8,000 employees on the theatre project at the present time, that during the first ten months of the current fiscal year expenditures were $9,949,999 and that during nine months boxoffice receipts were $679,644.

A delegation of prominent New York theatrical leaders visited Washington recently and protested the pro-

(Continued on page 7)

## "The Man in the Iron Mask"

**[Edward Small—United Artists]**

Hollywood, June 27—Showmen who have been waiting around for Edward Small to give them "another picture like 'The Count of Monte Cristo,' " needn't wait any longer. This is it. Here again are swashbuckling swordsmen doing and dying, this time for France and instead of for vengeance, and here again are sumptuous palace interiors and bleak dungeon depths, sinister villainies and valorous heroisms.

Showmen have been saying since 1934 that they can sell another picture like this. Small has furnished plenty of names to sell it with.

The top name in this particular case would seem to be that of Alexander Dumas, who wrote the thing imperishably in the first place. The names of George Bruce as screen playwright and James Whale as director fit nicely with M. Dumas' by reason of past achievement.

Top spot on the marquee goes to Louis Hayward, who plays the dual lead as competently as any actor of stage or screen ever played

(Continued on page 9)

## Paramount to Get $2,000,000 Loan

Arrangements were completed yesterday with the First of Boston Corp. for a $2,000,000 term loan at 3½ per cent with which to retire the last of Paramount's six per cent debentures outstanding. Notice of the calling of the debentures will be published early next week.

There is $1,939,000 of six per cent debentures outstanding of an original issue of $26,000,000. Refunding of the entire amount at appreciably lower interest rates has been accomplished during the past three years with the cooperation of Paramount theatre subsidiaries under the direction of Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee. M. & P. Theatres of Boston is understood to be a participant in the last of the several refunding loans.

An annual interest saving of more than $700,000 will be effected for Paramount as a result of the retirement of the six per cent debentures.

# ◂ Purely Personal ▸

HERMAN WOBBER 20th Century-Fox general sales manager, is due back from the coast the middle of July.

•

GARSON KANIN, RKO director, sails on the *Normandie* today. Other passengers will be HAROLD ROSSON, M-G-M cameraman; GRACE MOORE and her husband, VALENTIN PARERA; SAM LEVENE, actor; TRUDI SCHOOP, dancer, and MR. and MRS. ERICH POMMER.

•

G. MURDOCK and V. A. VOEBEL of Interstate Theatres, Houston, Texas; M. CONNER, Rhodes Theatre, Chicago, and MRS. JACK ZIMMERMAN of Lucas & Jenkins Theatres Circuit, Atlanta, Ga., registered at the RKO World's Fair lounge yesterday.

•

HERBERT WILCOX, British producer, and ANNA NEAGLE, star of "Nurse Edith Cavell," which WILCOX has produced on the coast for RKO release, arrive today from the coast following completion of the film, en route to England.

•

BENJAMIN TRUSTMAN, lawyer for the M & P Circuit, Boston, and FRED KENT, lawyer for E. J. Sparks Circuit, Jacksonville, Fla., were visitors at the Paramount home office yesterday.

•

TYRONE POWER and his bride, ANNABELLA, arrive today at Newark Airport from the coast and will sail Saturday on the *Rex* on a two-month trip through Europe.

•

CLIFFORD E. GIESSEMAN, former general manager of United Detroit Theatres, has been named Altec sales representative in the midwest, with headquarters in Detroit.

•

WILFRED LAWSON, English actor, arrives tomorrow on the *Bremen*, en route to Hollywood to appear in RKO's "Allegheny Frontier."

•

MARLOWE CONNER, manager of the Rhodes in Chicago, yesterday visited the Managers' Round Table at the *Motion Picture Herald*.

•

BRYAN FOY, Warner producer, is in town looking over plays and interviewing authors for story material for his 1939-'40 schedule.

•

JOSEPH MOSKOWITZ, JAMES MULVEY, J. J. MILSTEIN, SAM SHAIN, JOE PINCUS among those lunching at Lindy's yesterday.

•

TED I. NICHOLAS, manager of the Lyric, Indianapolis, has been elected president of the Arsenal Technical High School Alumni Association.

•

MARLOWE CONNER, BEN COHEN and RAY DUNN, Warner theatre managers in Chicago, won prizes in the M-G-M contest on "Honolulu."

•

LILLIAN LANGE, office director for Songwriters' Protective Association, celebrates her birthday today.

•

OSCAR A. DOOB, Loew's advertising and publicity director, leaves tomorrow for a week's vacation in Chicago.

•

EDDIE CANTOR was in Albany yesterday.

•

GEORGE SCHARF of Loew's publicity staff is vacationing.

•

ROY HAINES, Warners division manager, returns today from Philadelphia.

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# Insider's Outlook

### By SAM SHAIN

YOU will read elsewhere in this issue that England, too, now has the problem of giveaways. There was a heated argument at the annual Summer conference of the Cinematograph Exhibitors' Association on the matter. The general council called the games undesirable, warned exhibitors against the assembling of crowds attracted to the games and verbally hammered the Gaumont circuit for the introduction of Bank Night. The games in this country "just growed," but in England they appear to be facing a strong possibility of a high infant mortality rate.

---

MRS. LELA ROGERS, mother of Ginger Rogers, is giving a theatre party for friends at the Radio City Music Hall tomorrow in connection with the premiere of "Bachelor Mother" in which Ginger Rogers appears.

---

N. L. NATHANSON is the donor of a trophy emblematic of the golf championship of the Canadian film business at the first annual golf tournament to be held at the Oakdale Golf Club, Toronto, August 14.

---

IT is hoped that the Circuit Court of Appeals will render its decision this week in connection with the RKO reorganization matters pending in the courts, so that the company's 77b situation may be disposed of definitely and it can begin a new career under George J. Schaefer, coincident with the new season.

---

HERBERT J. YATES plans to sail for London soon. He will be crossing on business pertaining to Republic's "Man of Conquest" and the personal appearance tour in England by Gene Autry. Sol Siegel, Republic's foreign sales executive, is presently in London engaged in preliminary discussions upon these matters.

---

WE hear from Bill Gladish that Walt Disney and his father, Elias, are planning to visit childhood scenes and meet relatives in Huron County, Ontario, their former home. Among their relatives is Peter Cantelon of Goderich, Ont., a cousin of Elias Disney, who visited the Disneys in California last Winter.

---

AT Lindy's, with J. J. Milstein and Joe Moskowitz, we learned that Darryl Zanuck did one of the best international selling jobs on the air in connection with the "Magic Key" broadcast tie-up with the 20th Century-Fox picture, "Second Fiddle." In the brief time that Zanuck was on, according to these gentlemen, he had sold the whole 20th Century-Fox program.

---

LEONARD GOLDENSON, theatre executive of Paramount, and Isabelle Weinstein will be wed in the Fall. Announcement of their betrothal will be made this week by Miss Weinstein's parents, Mr. and Mrs. Max Weinstein.

## United Artists Sets 4 Early Releases

United Artists will shortly release four important pictures, and of these, it is interesting to note that the Samuel Goldwyn picture, "They Shall Have Music," will play at the Rivoli Theatre beginning on July 25.

Other United Artists pictures will go into the Radio City Music Hall. Among these are Edward Small's "The Man in the Iron Mask" which is booked to open July 13, and Walter Wanger's "Winter Carnival" which will follow. "Four Feathers," the fourth of the United Artists mid-summer releases, an Alexander Korda production, is scheduled for the Radio City Music Hall early in August.

## Picture Pioneers Will Publish Book

Picture Pioneers, association of veterans who have been in the business 25 years or more, plans to publish a book which will list members and their pictures as they appear today and as they looked 25 years ago.

Jack Cohn, Columbia vice-president, who is president of the Pioneers, has called the first dinner "conference" of the group for tomorrow night at the Barberry Room, 19 E. 52nd St.

# Oust Leaders, AFA's 'Rump' Meeting Asks

"The Ferrets," group of dissatisfied members of the American Federation of Actors, early yesterday morning did the expected, and passed resolutions

(1) approving the Associated Acto and Artistes of America investigation of the A.F.A.; (2) demanding the resignations of Sophie Tucker, president; Ralph Whitehead, executive secretary and the council; (3) asking the executives to abide by any decision of their trial, and (4) asking a hearing by the 4A to air their own grievances.

Yesterday the A.F.A. declared that many of those attending the meeting were not members in good standing of the A.F.A., and that Phil Irving, who acted as chairman, is now in arrears.

Meanwhile, the A.F.A.'s counsel, Abraham Halprin, up to yesterday had not received any answer to his request for a bill of particulars from the 4A relative to the charges leveled by the parent body against A.F.A. officials. The trial is scheduled for July 10.

## Dallas Variety Club Holds Outing July 15

DALLAS, June 27.—Committees are busy completing arrangements for the large outing which will be given by the Variety Club at Vickery Park on July 15 for employes of all local film exchanges, Interstate Circuit, Robb and Rowley, Jefferson Amusements Co. and the Griffith Amusements Co. Harry Sachs is general chairman.

Committee men include Charles Meeker, Ray Litsey, A. V. Philbin, J. E. Mitchell, Roy Sachs, Robert Helms, Lowell Russell, A. M. Whicher, Dutch Cammer, Charles Lees, T. P. Tidwell, R. I. Payne and Charles Meeker.

## Di Pesa Recuperates

Joseph A. Di Pesa, Loew's publicity man in Boston, has recuperated from a long illness and is back on the job. Lou Brown, who has been handling his work, returns to his post as publicity man for the Poli circuit at New Haven, and Matt Saunders, who has been subbing for Brown, is back as manager in Bridgeport.

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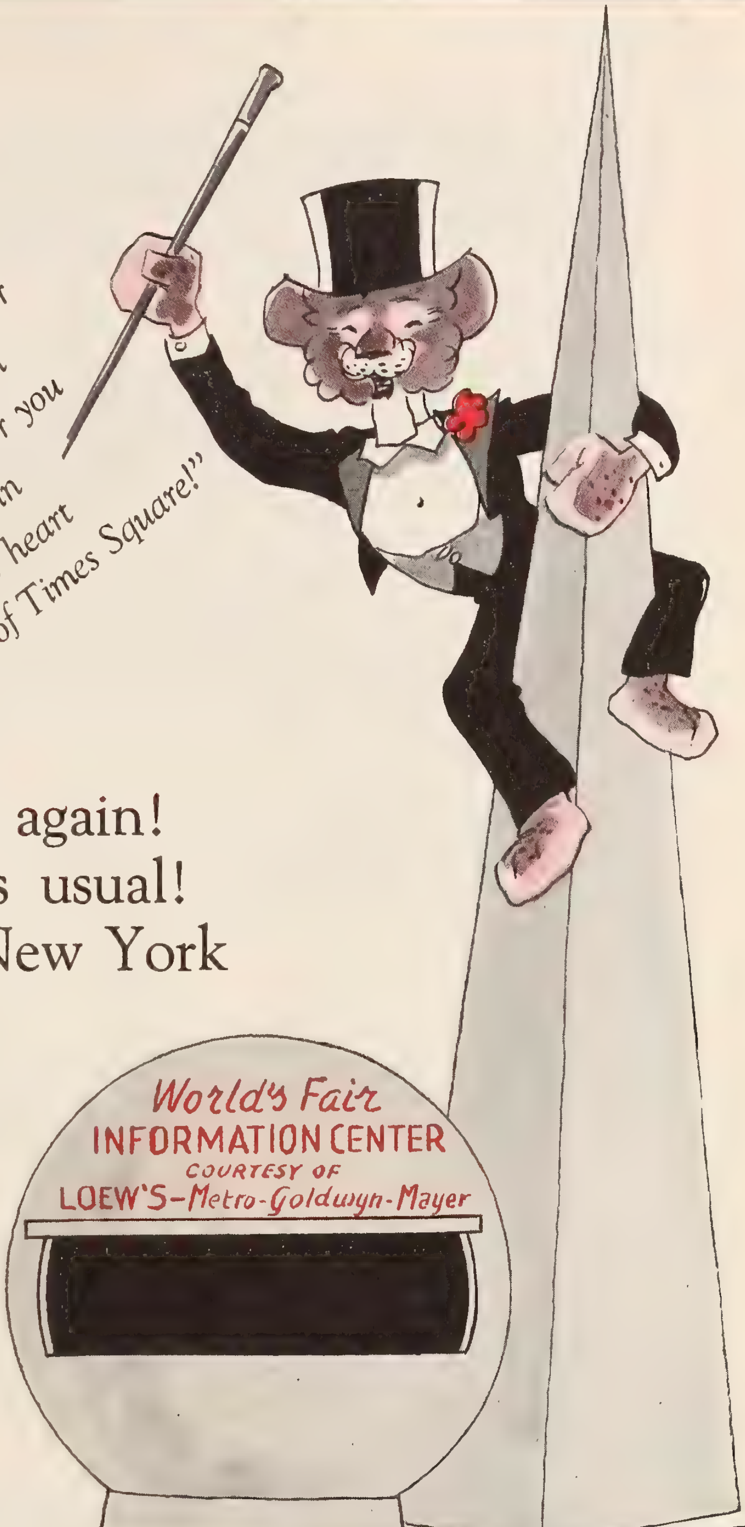
# TOPS THEM ALL!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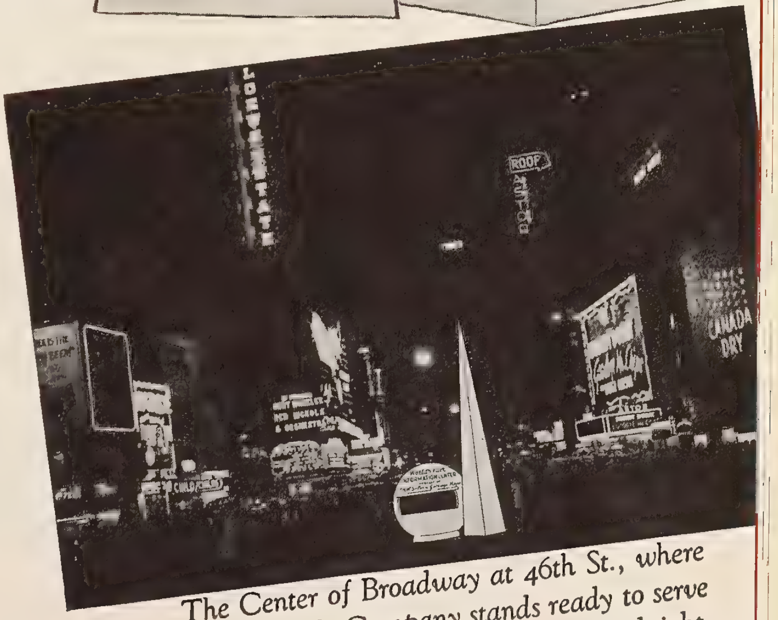
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## 'Heaven' Hits Fine $8,500, Minneapolis

MINNEAPOLIS, June 27.—Best grosser Minneapolis was "East Side of Heaven" at the State, with a handsome $8,500.

In St. Paul, the leader was "Invitation to Happiness," which brought $4,900 to the Paramount.

Estimated takings for the week ending June 22:

### *Minneapolis*

**"Sweepstake Winner" (W.B.)**
**"Boy Friend" (20th-Fox)**
ASTER—(900) (15c-25c) 7 days. Gross: $1,650. (Average, $1,500)

**"Sun Never Sets" (Univ.)**
CENTURY—(1,600) (25c-40c) 7 days. Gross: $3,100. (Average, $4,000)

**"Bridal Suite" (M-G-M)**
GOPHER—(990) (25c) 7 days. Gross: $3,200. (Average, $2,500)

**"Young Mr. Lincoln" (20th-Fox)**
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $5,900. (Average, $4,800)

**"East Side of Heaven" (Univ.)**
STATE—(2,300) (25c-40c) 7 days. Gross: $8,500. (Average, $4,400)

### *St. Paul*

**"Young Mr. Lincoln" (20th-Fox)**
ORPHEUM—(2,900) (25c-40c) 7 days. Gross: $2,300. (Average, $3,200)

**"Invitation to Happiness" (Para.)**
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,900. (Average, $4,000)

**"Some Like It Hot" (Para.)**
RIVIERA—(1,000) (25c) 7 days. Gross: $1,700. (Average, $1,800)

**"Zenobia" (U.A.)**
**"They Made Her a Spy" (RKO)**
TOWER—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,500)

**"Ecstasy" (Jewell)**
**"Prison Without Bars" (U.A.)**
WORLD—(400) (25c-35c) "Ecstacy," 4 days, "Bars," 3 days. Gross: $800. (Average, $700)

## *'Juarez' Milwaukee Leader with $5,100*

MILWAUKEE, June 27.—"Juarez" and "Sweepstakes Winner," in the second week at the Warner, grossed the best business of the week with $5,100.

Estimated takings for the week ending June 22-23:

**"Invitation to Happiness" (Para.)**
**"Undercover Doctor" (Para.)**
PALACE—(2,400) (35c-50c) 7 days. Gross: $3,500. (Average, $4,000)

**"For Love Or Money" (Univ.)**
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Vaudeville Revue. Gross: $5,200 (Average, $6,500)

**"Young Mr. Lincoln" (20th-Fox)**
**"East Side of Heaven" (Univ.)**
STRAND—(1,400) (35c-50c) 6 days. 2nd week. Gross: $1,100. (Average, $1,500)

**"Juarez" (W.B.)**
**"Sweepstakes Winner" (W.B.)**
WARNER—(2,400) (35c-50c) 7 days. 2nd week. Gross: $5,100. (Average, $4,500)

**"Susannah of the Mounties" (20th-Fox)**
**"Charlie Chan in Reno" (20th-Fox)**
WISCONSIN—(3,200) (35c-50c), 7 days. Gross: $5,000. (Average, $5,500)

## *Sign Dolores del Rio For Mexico Picture*

MEXICO CITY, June 27.—Dolores del Rio has agreed to play the lead in "Santa" ("Saintess"), a drama based upon the classic Mexican novel. The picture is to be made here by Pedro Calderon, who produced "La Zandunga," which featured Lupe Velez.

This will be the second time that "Santa" has been made into a picture in Mexico. In 1930, Antonio Moreno initiated talking films in this country with the production of this story.

## *Hollywood Preview*

### *"Mickey the Kid"*

*(Republic)*

HOLLYWOOD, June 27.—Several new story twists have been incorporated in this edition of the father-and-son story plot. Generally melodramatic, yet not without comedy incidents that provoke laughter and occasional moments of sympathy-stirring human interest, "Mickey the Kid," while of interest to adults, is an attraction for youngsters.

Featuring Bruce Cabot, Jessie Ralph and young Tommy Ryan in the leading roles, with Ralph Byrd, Zasu Pitts, June Storey, John Qualen, Scotty Beckett and J. Farrell MacDonald as principal supports, the show is capably directed by Arthur Lubin from a screenplay by Doris Malloy and Gordon Kahn based on Alice Altschuler's original.

Bank robber Cabot, fleeing G-men, contrives to place his son, Ryan, in the care of his grandmother, Miss Ralph. Ryan, incorrigible at first, gradually wins his way into Miss Ralph's affections and, under the influence of maid Miss Pitts and school teacher Miss Storey, gradually transforms himself into a regular boy. He becomes a hero to his companions when he licks the school bully.

Meanwhile officers, learning that Ryan is Cabot's son plan to trap the criminal at the farm home. The scheme works, but Cabot, trying to escape, highjacks the school bus. Thereupon is reenacted that episode of a few winters ago (when a bus load of Colorado children were kept alive by a young hero) until rescue is brought by Cabot, who dies in the blizzard.

Although some irrelevant material is included, the action and excitement of the story make it move rapidly, with the suspense packed climax giving the show a real human interest wallop.

Running time, 65 minutes. "G."* G. McC.

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*"G" denotes general classification.*

## 'Chips' Is $7,000 Hit in Cleveland

CLEVELAND, June 27.—"Goodbye Mr. Chips" for the second successive week held top spot, with $7,000 at Loew's Stillman. "Only Angels Have Wings," another holdover, took $5,000 at the Allen.

Estimated takings for the week ending June 23:

**"Only Angels Have Wings" (Col.)**
ALLEN—(3,000) (30c-35c-42c) 7 days. 2nd week. Gross: $5,000. (Average, $4,000)

**"Young Mr. Lincoln" (20th-Fox)**
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $10,000. (Average, $11,000)

**"The Kid From Kokomo" (W.B.)**
RKO PALACE—(3,100) (30c-35c-42c) 7 days. Gross: $7,500. (Average, $8,000)

**"Invitation to Happiness" (Para.)**
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $9,000. (Average, $11,000)

**"Goodbye Mr. Chips" (M-G-M)**
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. 2nd week. Gross: $7,000. (Average, $5,000)

## *'Happiness' $9,900; Kansas City Dull*

KANSAS CITY, June 27.—Rain contributed little to grosses, but "Invitation to Happiness" did $9,900 at the Newman. "Captain Fury" and "Bridal Suite" at the Midland did $10,000.

Estimated takings for the week ending June 20-22:

**"The Sun Never Sets" (Univ.)**
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,400. (Average, $3,000)

**"Captain Fury" (U. A.)**
**"Bridal Suite" (M-G-M)**
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $10,600. (Average, $11,500)

**"Invitation to Happiness" (Para.)**
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $9,900. (Average, $7,000)

**"The Sun Never Sets" (Univ.)**
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $2,700. (Average, $3,500)

## 'Wonderful World' $18,500 in Capital

WASHINGTON, June 27.—"It's A Wonderful World" topped the town with $18,500 at Loew's Capitol. "Only Angels Have Wings" did $5,800 in a return week at Loew's Metropolitan.

Estimated takings for the week ending June 22:

**"It's A Wonderful World" (M-G-M)**
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Bert Walton. Gross: $18,500. (Average, $16,500)

**"Calling Dr. Kildare" (M-G-M)**
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days. 2nd run. Gross: $3,800. (Average, $4,500)

**"Young Mr. Lincoln" (20th-Fox)**
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $8,500. (Average, $12,000)

**"The Mikado" (Univ.)**
RKO-KEITH'S—(1,836) (25c-55c) 7 days. 3rd week. Gross: $6,000. (Average, $6,000)

**"Juarez" (W. B.)**
WARNERS' EARLE—(2,218) (25c-66c) 7 days. 2nd week. Stage Vaudeville. Gross: $12,500. (Average, $16,000)

**"Only Angels Have Wings" (Col.)**
WARNERS' METROPOLITAN—(1,591) (25c-40c) 7 days. 2nd run. Gross: $5,800. (Average, $4,000)

## *'Maisie' Is Detroit Leader at $13,500*

DETROIT, June 27.—The Michigan led here with "Maisie" and "Invitation to Happiness," taking $13,500. "Sun Never Sets" and "Sorority House" gave the Adams $7,000.

Estimated takings for week ending June 24:

**"Sun Never Sets" (Univ.)**
**"Sorority House" (RKO)**
ADAMS—(1,700) (15c-40c) 7 days. Gross: $7,000. (Average, $5,000)

**"Mikado" (Univ.)**
**"Blind Alley" (Col.)**
FOX—(5,000) (20c-55c) 7 days. Gross: $10,000. (Average, $10,000)

**"Maisie" (M-G-M)**
**"Invitation to Happiness" (Para.)**
MICHIGAN—(4,000) (20c-65c) 7 days. Gross: $13,500. (Average, $10,000)

**"6,000 Enemies" (M-G-M)**
**"Mutiny on the Bounty" (M-G-M)**
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)

## Ascap Fights Florida Law; Calls It Illegal

Motion to dismiss Ascap's action contesting the constitutionality of the Florida law barring the music licensing society from operating in the state was filed in Federal court [illegible] New Orleans yesterday in conjunction with the state's answer to a bill of complaint filed some time ago by Ascap.

Florida officials contend in their answer that a new law enacted by the legislature during the last session replaces the old one and, therefore, invalidates the Ascap action which was instituted against the original statute.

Ascap, through its counsel, Schwartz & Frohlich, plans to ask an injunction restraining Florida from enforcing the new statute. At the same time, the society will contend that the existing statute is not materially different from the original but has been amended in minor particulars only.

A trial date for the action attacking the constitutionality of the legislation will be set soon after Ascap has filed its response.

## *'Lincoln' at $4,200 Oklahoma City Best*

OKLAHOMA CITY, June 27.—Cool and wet weather took toll of grosses here, as "Young Mr. Lincoln" led with an average $4,200 at the Midwest. "Captain Fury" drew $4,950 at the Criterion.

Estimated takings for the week ending June 22:

**"Captain Fury" (U. A.)**
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,950. (Average, $5,500)

**"The Gorilla" (20th-Fox)**
**"Chasing Danger" (20th-Fox)**
LIBERTY—(1,200) (15c-20c-25c) 4 days. Gross: $1,800. (Average, $1,800)

**"Charlie Chan In Reno" (20th-Fox)**
**"Sweepstakes Winner" (W. B.)**
LIBERTY—(1,200) (15c-20c-25c) 3 days. Gross: $560. (Average, $700)

**"Young Mr. Lincoln" (20th-Fox)**
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,200. (Average, $4,200)

**"Lucky Night" (M-G-M)**
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,600. (Average, $1,700)

**"Zenobia" (U. A.)**
**"My Son Is A Criminal" (Col.)**
STATE—(1,100) (15c-25c) 7 days. Gross: $2,000. (Average, $2,500)

**"Dark Victory" (W. B.)**
TOWER—(1,100) (25c-35c-40c) 7 days, 2nd week. Gross: $2,250. (Average, $2,500)

## *'Juarez' Garners $9,500, Montreal*

MONTREAL, June 27.—"Juarez" at Loew's grossed $9,500. "The Sun Never Sets" brought $7,300 to the Palace, while at the Capitol, "Bridal Suite" and "Whispering Enemies," grossed $6,000.

Estimated takings for the week ending June 23:

**"Bridal Suite" (M-G-M)**
**"Whispering Enemies" (Col.)**
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days Gross: $6,000. (Average, $8,000)

**"Juarez" (W. B.)**
LOEW'S—(2,800) (30c-40c-60c) 7 days Gross: $9,500. (Average, $8,000)

**"Exile Express" (G. N.)**
**"Sorority House" (RKO)**
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $2,700. (Average, $5,000)

**"The Sun Never Sets" (Univ.)**
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,300. (Average, $11,000)

**"The Return of the Cisco Kid" (20th-Fox)**
**"Boy Friend" (20th-Fox)**
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,100. (Average, $6,500)

# THIS WEEK RADIO CITY MUSIC HALL PLAYS THE NEW ALL-TIME TOP IN SCREEN COMEDY

**THE MOST PROFIT-PROMISING SHOW THE BUSINESS HA**
**SEEN IN MONTHS! . .**

RKO RADIO believes the story to be the most NOVEL and refreshing your screen has ever told! . . . Fun and romance in the embarrassing moments of a glamorous shopgirl who adopted a doorstep baby which everyone believed to be hers! . . . More laughs when David Niven, the boss' son, comes a 'wooing . . . and the biggest surprise of all the sock finish! . . .

**IT ROLLED THEM IN THE AISLES AT THE PREVIEW! . . . . AND IT'S THAT KIND OF A SHOW FOR YOU!**

**GINGER ROGER**
**DAVID NIVE**

# "Bachelor Mother"

*with*

**CHARLES COBURN**
**FRANK ALBERTSON**
**E. E. CLIVE**

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. DeSYLVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA • STORY BY FELIX JACKSON

RKO RADIO PICTURES

# Short Subject Reviews

## "How to Eat"

(M-G-M)

Robert Benchley lectures his film audience on the fine art of digestion, and illustrates his lesson with several examples of the emotions which interfere with eating. A rumor of a reorganization in his office spoils one meal, he falls in love and spoils another. His appetite is also ruined when he expects to be called upon to speak at a banquet. Problem of eating at picnics, in bed and at family gatherings are also discussed. Should produce plenty of laughs. Running time, 10 mins.

## "The Greener Hills"

(M-G-M)

This reel is intended as an inspirational item with an "if you don't succeed at first, try again" theme. A husband leads his family from one "big deal" to another but they fail to come off. He buys a peanut farm but after the plants grow, no peanuts are in sight. He leaves his family for another unsuccessful venture in raising bees. When he returns, he learns that his wife discovered that peanuts grow underground and, together, they cash in on the crop. Running time, 11 mins.

## N. Y. Allied to Push Code Negotiations

(Continued from page 1)

by national Allied and the Department of Justice.

"I am not in favor of it because I would rather have Loew's and RKO as competitors in preference to any independent circuit," he said.

He made it plain that this is his personal view and does not express the sentiment of New York Allied.

Cohen has called a statewide meeting of his organization in Syracuse July 6. He said there will be "a complete discussion of the code as a result of the Minneapolis convention."

The New York City unit will meet this afternoon in the organization's office in the New Amsterdam Theatre Building.

## Delay Eckhardt Dinner

CHICAGO, June 27.—Date for the Clyde W. Eckhardt testimonial dinner has been postponed a week, until July 24. It was formerly set for July 17. It will be at the Congress Hotel.

## Patrons on Wheels

**Indianapolis, June 27. — Morris Cantor, manager of the Emerson, de luxe neighborhood, is convinced that the bicycle is back to stay. So many of his younger patrons two-wheel themselves to the Emerson that he had to install a bike rack some time ago. Now he's hired an attendant to guard the assembled vehicles and keep an eye on traffic.**

# New York Preview

## "Mountain Rhythm"

(Republic)

Exceptional production values are evident in this newest Gene Autry release, giving it added conviction and a polish not found in every western. The picture should please the many Autry fans and win new ones as well.

Autry and his partner, Smiley Burnette, undertake to aid a group of ranchers to save their grazing land from promoters who want it for a resort site. The land is offered at auction by the Government and unless the ranchers are successful in acquiring it they will be unable to continue live stock raising. All of the nefarious attempts of the promoters to prevent the ranchers from bidding on the property are successfully frustrated by Autry and Burnette with the aid of hobo leaders whom they have befriended. There is a generous amount of hard riding, physical encounters, homely humor and Autry's harmonizing. June Storey contributes the incidental heart interest.

The cast is large and capable and lends an impressive production note on occasions, particularly those of a gold mining sequence and another of a cattle roundup. Harry Grey was associate producer and B. Reeves Eason directed from a screenplay by Gerald Geraghty.

Running time, 57 minutes. "G."*

SHERWIN A. KANE

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*"G" denotes general classification.

# Mexico Notes

MEXICO CITY, June 27.—Mexican interests have asked the Government of Coahuila State, on the American border, for permission to build and operate five large film theatres in the principal Coahuila cities. The theatres are planned for Saltillo, the state capital, Piedras Negras, opposite Eagle Pass, Tex., Monclova, Sabinas and Allende.

Charles Fitten, 10-year-old son of James Fitten, American boxing promoter in Mexico, who was beginning to make a name for himself in Mexican pictures, died at his home here.

Minimum daily wages at last have come to the picture industry. Producers have fixed the following minimum daily pay for players: Stars, $20; second and third supports, $15 and $5, respectively, and bit players, $3.

Cine Tearto Alameda, de luxe local first run, has induced the muncipal government to reconsider the fine imposed by one of its amusements inspectors because the theatre introduced on its program a picture and music in homage to Francisco Sarabia, Mexican aviator killed at Washington in an attempted nonstop flight to Mexico.

The audience received the feature cordially, but the inspector imposed the fine because the theatre had not announced the feature as the regulations demand. Any unannounced change in programs of theatres here is illegal.

## 7-Day Week Approved

Authorization for a seven-day week for "Railroads on Parade" at the World's Fair was granted yesterday by the Council of Actors Equity on condition that performers be given time and one-half for the seventh day. A similar authorization was granted earlier to "The Hot Mikado" cast, the second World Fair show over which Equity has judisdiction.

## Domino Completes Initial Negro Film

Domino Productions, Inc., has been formed here for the production of features employing Negro casts exclusively. Arthur Leonard is president and George A. Walbridge, vice-president and general manager.

The company has already completed the first, "Straight to Heaven," produced at the Biograph studio in the Bronx, and starring Nina Mae McKinney and Jack Carter. It is estimated that there are about 200 theatres in the country catering exclusively to Negroes.

## Exchanges Awaiting Scotia Board Action

TORONTO, June 27.—Film exchanges here are accepting no new commitments until the newly-created conciliation board of Nova Scotia formulates a general plan of priority and clearances for all theatres in Nova Scotia. The last legislature passed a bill providing for the prosecution of exchanges for any unjust discrimination.

## Auten Damage Suit Judgment Is Denied

N. Y. Supreme Court Justice William T. Collins yesterday denied an application for a summary judgment against Harold Auten in a suit for $197,000 damages and an injunction and accounting brought by Maurice Manger and Marcel Coutant as trustees in bankruptcy of Société Pathe Cinema S. A.

Auten had been made exclusive agent to sell U. S. rights to seven foreign pictures under a contract made in April, 1933, the complaint stated, but had allegedly refused to account for the proceeds or to cease selling the rights upon expiration of its agency. Auten has counterclaimed for $17,500.

## Para. Buys 'Street'

HOLLYWOOD, June 27.—Paramount has purchased "The Man in Half Moon Street," stage play by Barre Lyndon, now playing in London.

# U. S. Theatre To Continue; Funds Voted

(Continued from page 1)

posed abandonment of the Federal Theatre.

The Appropriations Committee refused to approve a recommendation of the sub-committee in charge of the measure that $150,000 be provided for continuance of the United States Film Service, to be transferred July 1 from the National Emergency Council to the Office of Education, which is to be a part of the New Federal Security Agency.

It accepted the House's decision that no funds should be provided directly for such work, which heretofore has been financed by contributions from relief funds and from departments for which pictures have been made.

### Equity Thanks Delegation

Council of Actors Equity yesterday gave a vote of thanks to its committee headed by Talullah Bankhead and Blanche Yurka which went to Washington last week to plead the case of the Federal Theatre Project.

## Cantor's $500,000 Estate to Charity

Eddie Cantor has offered his $500,000 estate at Great Neck for charitable purposes. He has announced that he will deed the property to any non-sectarian organization as a home for the aged and children. Cantor bought the 17-room house and 10 acres of land in 1929. He spends most of his time on the coast.

## Picket E. M. Loew House

HARTFORD, Conn., June 27.— A. F. of L. union operators are again picketing E. M. Loew's Theatre following lifting of the anti-picketing injunction by the state Supreme Court recently. The controversy, which is over two years old, is between rival unions.

## Indiana Outing July 5

CHICAGO, June 27.—Associated Theatre Owners of Indiana will hold their second annual summer outing at Spink Wauwausee, Ind., July 5-7.

## 'Illusion' in Mexico

World Pictures has sold the French film, "Grand Illusion," in Mexico and Cuba, and it will have its Mexican premiere at the Alemeda, Mexico City.

## Benny Remembers

**Cincinnati, June 27.—Reminiscing about Ohio in general and Cincinnati in particular following the premiere of "Man About Town" Sunday night, Jack Benny recalled that he received his start in the Barrison, at Waukegan, when he was featuring musical numbers, adding that Arthur Frudenfeld was then manager of the theatre. Frudenfeld now is division manager of RKO Midwest here.**

# Oklahoma City Parley Avoids Vote on Code

(*Continued from page* 1)

studied. Half of the members present, by raised hands, indicated they had not had an opportunity to examine the code's provisions.

The following officers were elected, in addition to Lowenstein, who has been president of the organization for more than 10 years and who is national secretary of M.P.T.O.A.: Leonard White of Weatherford, secretary-treasurer; Max Brock of Lawton, vice-president; John Giffin, Ralph Talbot, J. C. Hunter, directors.

A motion putting Oklahoma Theatre Owners, Inc., on record as opposed to the passage of the Neely bill was passed. Telegrams to Oklahoma Senators and Congressmen, urging their vote against the bill, will be sent to them in Washington.

Kuykendall in his address attacked Allied members of Oklahoma who had issued bulletins charging that the M.P.T.O.A. was a "Hays office producer-distributor-controlled organization." The bulletin, he said, was distributed at the convention headquarters in the Biltmore Hotel here.

Kuykendall deplored the action of the Allied States convention at Minneapolis recently when the code was rejected.

"They could have treated us with courtesy," he said, referring to R. J. (Bob) O'Donnell, general manager of the Interstate Circuit, who was present at the convention here. "They didn't even extend to Mr. O'Donnell an opportunity to speak."

"At least 90 per cent of the Allied exhibitors present at the Minneapolis convention told me that they would individually sign the code, and they told me they did not understand how a few Allied leaders could keep the code from being put up for their approval which the board of directors refused to do," Kuykendall added.

## *Zenith Gets Patent On New Air Device*

CHICAGO, June 27.—Zenith Radio Corp. today was granted a patent on its detachable wave magnet, the company's annual meeting of stockholders was informed by Eugene F. McDonald, president.

The wave magnet makes it possible to obtain radio reception even inside a steel room, as in a railroad train or airplane, as long as there is a window available.

## *Air Censor Hearing Postponed to July 14*

WASHINGTON, June 27.—Federal Communications Commission today postponed until July 14 the hearing scheduled for July 12 on its "censorship" order for international stations.

## *O. K. Walker for FCC*

WASHINGTON, June 27.—Nomination of Paul A. Walker for a seven-year term as a member of the Federal Communications Commission, sent to the Senate yesterday by President Roosevelt, was approved by the Senate Interstate Commerce Committee today.

# BANNER LINES

### By JACK BANNER

EIGHTEEN hundred words to go, and so to bat. Gabriel Heatter is the surprise selection to do the color broadcasting in tonight's Louis-Galento bout by radio. George Hicks, now on his way back from Europe, was wanted, but the *Rex* arrives a day after the fight.

▼

In an interview with Fulton Oursler, editor-in-chief of MacFadden publications, Eitel Wolf Dobert, a former Captain in Hitler's Storm Troops, last night denounced Nazism, over NBC. . . . Pickups from Argentine, Norway and other points across the sea were made perfectly on Monday night's Magic Key broadcast devoted to exploiting the 20th Century-Fox picture, "Second Fiddle," but—and it always happens—on a routine pickup from Hollywood, the lines failed for a few moments.

▼

Following a demonstration at the NAB convention in July, NBC will suspend all studio and remote television broadcasts until August.

▼

NBC promotion director Clay Morgan and night program manager Burke Miller celebrated birthdays the other day. Miller, an astrology bug, sent Morgan a wire saying "from one gemini to another, happy birthday." He signed it Pollux. . . . Jim Harkins, Fred Allen's assistant, once was a chiropractor and he's taught a few of the adjustments to agent Bill Bachelor, who now administers spinal pops to Mrs. Bachelor when she complains of her back.

▼

Lyn Murray, CBS choir director, steps into big time band circles by taking over Harry Salter's place as maestro on the Phil Baker series. . . . Postal Telegraph will deliver compacts to the wives of local radio editors with their names and addresses engraved in acetate on the covers. . . . May Robson will be a guest on Rudy Vallee's program tomorrow night.

▼

National Press Women's selection of radio programs for awards are more intelligent picks than those made by any other lady groups. . . . Probably because of objections by the bandleader, the sponsors of the "Waring Family" script series have changed the name of the show to the "Parker Family.". . . Jack Benny may make a personal appearance at the Paramount while he's in town. . . . Back from the Waukegan trip yesterday were Joe Stauffer, Tom Harrington, Bill Louis and A. Brockway of Young & Rubicam.

▼

Eddie Cantor has lined up a new program idea which the William Morris office is now endeavoring to sell. Story around is that Cantor could have remained with his past sponsor had he agreed to give up his off-radio anti-Nazi activities. . . . Al Jolson on Monday auditioned a new program for Lord & Thomas, for Lucky Strikes.

▼

Mutual has arranged an interesting stunt for tomorrow—a "hands across the sea" reception to its European representative, John Steele. During the reception, Mutual will air a forum in which Steele, Elliott Roosevelt, Fulton Lewis, Jr., Raymond Gram Swing and Gabriel Heatter, all Mutual commentators, will exchange opinions on the national and international situation. . . . We forgot to add when discussing Cantor that Cobina Wright, Jr., will be a permanent member of his cast if and when he sells the show.

▼

Things look dark for radio columns in Pittsburgh, although the general trend seems to be a return of columns.

▼

Tom Revere, vice-president in charge of radio at Benton & Bowles, leaves for Hollywood late this week, probably to line up talent for the fall Maxwell House Coffee program. . . . Mark Warnow will return his "Blue Velvet" broadcasts to CBS sometime in mid-July.

▼

A new sponsored show at NBC is set for August, with Nola Luxford, Graham McNamee, Bill Stern and Baukhage, the Washington commentator, doing something new in newscasting. . . . No one more deserved the honors he received at the Press Women's affair the other evening than John Young, the World Fair's director of radio.

# *The Newsreel Parade*

*There are no outstanding events in the new issues. Arrival in New York of the new* Mauretania *is covered by all the reels, contents of which follow:*

MOVIETONE NEWS, No. 83—*Mauretania* sails again. Daladier inspects air defenses. Franco observes anniversary. Refugees arrive in Belgium. Clipper leaves Fort Washington. Brazil's army chief at White House. McNutt returns to America. Fashions. Harvard-Yale crew race. Japs play baseball. Water sports. Lew Lehr.

NEWS OF THE DAY, No. 281—*St. Louis* lands in Antwerp. Citizenship Day in New York. Fred Snite returns. Family travels on bikes. *Mauretania* arrives in New York. Tiny drawing of Madonna. Gymnastics in Stockholm. Japanese baseball game. Crew race.

PARAMOUNT NEWS, No. 94—*Mauretania* ends maiden voyage. Air show. McNutt en route to White House. Decorate Italian ships. Franco regime celebrates anniversary. Refugees find haven in Belgium. Trans-Atlantic air passenger ship returns. Clipper takes off. War Admiral retires. Skeet championships. College boat race.

RKO PATHE NEWS, No. 98—Political shakeup in Louisiana. Refugee ship arrives in Antwerp. New Roosevelt appointees. New York welcomes *Mauretania*. Brazilian general tours army posts. Water ski demonstration. Mountain blasted. Yale-Harvard regatta.

UNIVERSAL NEWSREEL, No. 783—*Mauretania* arrives in New York. French mourn sub victims. Brazil's army chief reviews air corps. Clipper departs for Europe. McNutt arrives on coast. War banners on Italian navy. Freighter grounded. Bicycles become fad. Festival in North Carolina. Harvard wins crew race. War Admiral retires. Water skiing. Glider meet.

# Silver Action Stirs Jitters Over Mexico

MEXICO CITY, June 27.—American film distributors in Mexico are in a jittery state as a result of United States Treasury's action of sla[illegible] the buying price of silver by [illegible] cents an ounce.

Banks today were buying foreign money at old rates with brokers selling the dollar for as high as 5.30 pesos per, a new high in modern Mexico.

The situation at exchanges resembled the old one when the Mexican government expropriated American oil properties in Mexico, many persons calling it even worse. Bankers admitted that they do not know just how high the dollar will soar.

## *'Lost Plays' Series Will Start on July 6*

An elaborate new Summer series of dramatic presentations, titled "America's Lost Plays," will be offered by NBC Thursdays over the Red network from 9 to 10 P. M., starting July 6.

Dramas are to be based on manuscripts of once famous works and until recently thought to be lost. They have been unearthed by the Dramatists' Play Service, with the aid of the Rockefeller Foundation, Authors League of America and the Dramatists Guild.

# *Coast Brevities*

LOS ANGELES, June 27.—Federal Judge Paul J. McCormick today denied RKO counsel's motion to dismiss copyright infringement suit brought by Alfred Gould, assignee of Alfred Goulding, N. Y. writer, claiming "Gunga Din" infringed Goulding's story submitted to and rejected by the studio in 1934. After viewing the film and reading Goulding's script, the Judge ruled that the suit must go to trial on its merits.

Samuel Goldwyn, James Roosevelt, Jock Lawrence, Edwin Knopf were routed from Goldwyn's private projection room today as fire consumed 100 feet of rushes being shown. Damage was negligible.

Jake Wilk, Eastern production executive for Warners, arrived in Hollywood today for conferences with studio executives on the purchase of current Broadway stage plays.

Superior Court Judge Willis, hearing Technicians' Local 37 suit seeking restoration of the local's autonomy, granted I.A.T.S.E. defense attorney George Breslins his motion to strike from the record of the trial to date all references to alleged receipt of $100,000 from producers by William Bioff, former Hollywood representative of I.A.T.S.E. president, George Brown. Also stricken was practically all of Brown's deposition which was read into the record by A. Brigham Rose, attorney for Local 37.

There
has never
been a
picture
with the
high-pitched
suspense
of

FOUR
FEATHERS

## *"The Man in the Iron Mask"*

**[Edward Small—United Artists]**

*(Continued from page 1)*

any twin characterization. And, of course, Joan Bennett's name rates proportionate prominence as the feminine star. Then come such dependables as Warren William, Joseph Schildkraut, Alan Hale, Montagu Love, Nigel de Brulier, Bert Roach, Doris Kenyon, Miles Mander, Boyd Irwin and Marian Martin, to name only a handful of a long cast.

Showmen are quite safe in likening the picture to "Monte Cristo" for exploitation purposes. It is like "Monte Cristo" when it is at its best, which is in the dashing sequences of high adventure, in the chases on horseback and the sword fighting at close quarters. It is somewhat less like "Monte Cristo" in the quiet stretches, the conversational passages wherein is laid the groundwork for the action sequences. The preview audience was a bit restive in some of these spots, but it came to attention abruptly, and sometime to applause, when the story swung into high gear again.

The scene is the France of Louis XIV and the story, it will be recalled, is about his twin brother, imprisoned in an iron mask as a threat to the throne, and liberated ultimately by the Four Musketeers in time to replace the venal Louis and bring relief to an oppressed nation. The place and period are reproduced with evident fidelity. The film is opulently mounted and reflects great sincerity on the part of its producer and his associates.

Running time, 110 minutes. "G."* WILLIAM R. WEAVER

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**"G" denotes general classification.*

## *K.C. Cleanup Group Plans Short Series*

KANSAS CITY, June 27.—The Motion picture committee of the Forward Kansas City movement, which has as its purpose the cleanup of Kansas City, has outlined a plan of producing several short subjects dealing with the civic, cultural and commercial assets of Kansas City. These would be distributed to theatres throughout the Kansas City trade territory.

Adoption of the plans will be up to exhibitors, who will be called together shortly to vote on the project. E. C. Rhoden, Fox Midwest Theatres, is chairman of the motion picture committee.

## *'Happiness' $5,600 In New Haven Heat*

NEW HAVEN, June 27.—"Invitation to Happiness" and "Woman Doctor" grossed $5,600 at the Paramount. Otherwise, the heat hurt business.

Estimated takings for the week ending June 23:

**"Streets of New York" (Mon.)**
**"Trapped in the Sky" (Col.)**
COLLEGE — (1,499) (25c-35c) 7 days. Gross: $1,700. (Average, $2,700)
**"Tarzan Finds a Son" (M-G-M)**
**"Bridal Suite" (M-G-M)**
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $6,500. (Average, $8,000)
**"Invitation to Happiness" (Para.)**
**"Woman Doctor" (Repub.)**
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $5,600. (Average, $4,000)
**"Captain Fury" (U.A.)**
**"Nancy Drew-Trouble Doctor" (W.B.)**
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $4,000. (Average, $4,700)

## *Missouri Sales Tax Extended Two Years*

KANSAS CITY, June 27.—The two per cent sales tax in Missouri is assured for another two years following Senate approval of a measure to extend the levy to Dec. 31, 1941.

The bill already had been passed by the House. The legislature, after the longest session in the history of the state, adjourned a few days ago.

## *Theatre Notes*

### Griffith Signs Altec

Griffith-Dickinson Theatres, Inc., has signed with Altec Service Corp. to service sound equipment in 30 of the circuit's houses in Kansas, Missouri, Iowa and Nebraska. C. J. Zern and W. E. Gregory negotiated the deal for Altec, and H. J. Griffith acted for the circuit.

### Intermountain Reopens Two

DENVER, June 27.—Two Fox Intermountain houses which have been closed are being reopened. The Rialto at Walsenburg, Colo., will show Spanish films with one change a week. The other house is the Coronado at Las Vegas, N. M.

### Griffith Building Two

DENVER, June 27.—Two houses in New Mexico are being built by the R. E. Griffith Theatres. One, at Hobbs, will seat 780 and cost about $20,000; and the other, at Clovis, will seat 900 and cost $30,000.

### Rebuilding Burned Theater

CHINA GROVE, N. C., June 27.—The new Grove Theatre will be opened here in July, officials announced. The theatre was burned several months ago and rebuilding is now nearing completion.

### New Monroe, N. C., House

MONROE, N. C., June 27.—Monroe Theatres, Inc., operators of the State theatre which was burned some time ago, have purchased several uptown buildings and will start work immediately on remodeling operations for a new theatre. Wheeler Smith is president of the company.

### Seeks Frisco Theatre

SAN FRANCISCO, June 27.—Ralph Blank, who recently sold his interests in the Blank circuit of Nebraska and Iowa, is negotiating for the purchase of a theatre here.

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whose
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to the Motion Picture Industry

# MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 45. NO. 125 NEW YORK, THURSDAY, JUNE 29, 1939 TEN CENTS

# NBC Secures Foreign Films For Telecasts

### First Showing of Feature Scheduled July 4

NBC has secured enough feature motion pictures to last throughout the Summer and Fall television schedule. They are the first feature motion pictures NBC has been able to obtain since the start of regular television programming.

For the main, the pictures are foreign productions. This bears out a prophesy made some months ago by NBC's television program manager, Tom Hutchinson, who in an exclusive statement to MOTION PICTURE DAILY, stated that if domestic picture product continued unavailable to television, NBC would turn to the makers of foreign pictures, and to independent producers here.

Not all of the titles of pictures now available to NBC are known. Here are the known products: "Generals Without Buttons," a French film; "Edge of the World," an English documentary; "Ballerina," a French picture; "The Wave," a Mexican film; "Peg of Old Drury" and "Old Curiosity Shop," both English productions; "Carnival in Flanders," a French picture; Stacy Woodward's documentary film, "The Adventures of Chico"; "Heart of Paris," a French film, and "Heart of New York," with Al Jolson, Madge Evans and Harry Langdon.

Art Hungerford, NBC's film contract man, negotiated the deals for the pictures. The pictures have been leased for single showings at a rental of approximately $150 per showing, it is understood.

Showing of the feature length pictures will start July 4, when a new television program policy will be instituted.

The films will be telecast on Wednesday and Saturday evenings from to 10 P. M.

### Three Home Offices To Close on Monday

**RKO, Monogram and Republic will remain closed all day Monday, giving employes a four-day holiday this weekend. All other companies will operate as usual on Monday, it was indicated yesterday, although several had made no final decisions.**

### Roosevelt Gets New Goldwyn Contract

James Roosevelt

**Samuel Goldwyn yesterday announced that he has signed a new long term contract with James Roosevelt, vice-president of Samuel Goldwyn, Inc. The contract has been awarded in recognition of Roosevelt's fine work during his past six months with Goldwyn.**

# Warners Refunds $6,000,000 Today

Warners today will begin cash redemption of about $6,000,000 optional 6 per cent convertible debentures, due Sept. 1, 1939, with accrued interest from March 1, 1939, to date. Holders may turn in their bonds for cash at the Manufacturers Trust Co., trustee, 55 Broad St.

This will complete the refunding or retirement of an original amount of $29,400,000 debentures outstanding. Of this amount, some $19,400,000 have been exchanged for new debentures maturing in 1948 and bearing the same rate of interest. Yesterday was the deadline for the exchange of debentures.

Of the balance of approximately $10,000,000 debentures outstanding, the company has retired some $4,000,000.

# Grosses Gain On Broadway

Jack Benny and Dorothy Lamour made a personal appearance yesterday at the Paramount on Broadway, in connection with "Man About Town," and the theatre hung up a new opening day attendance record for the year, according to Robert M. Weitman, managing director.

Benny and Miss Lamour made two appearances at the evening show and at the supper show. The stage presentation for the week is headed by Gene Krupa and his orchestra, also Cliff Nazarro and the Andrews Sisters. Figures released by the theatre show a gross of about $11,000, or the best opening day in 12 months.

Another show that is way out in front is "Daughters Courageous," Warner picture at the Strand Theatre, and on the stage there is Sammy Kaye and his band. Business is very big, performances beginning at 8 a.m. and the possibility being that the show will go beyond $45,000 for the week.

Business at the Roxy Theatre, where "Susannah of the Mounties" is playing, supported by a stage band, is fair, and ought to do $30,000. The house is awaiting "Second Fiddle" which comes in Friday.

"Good Girls," one of Columbia's toppers, finished the week at the Radio City Music Hall with a very good $84,000 in the face of strong competition and warm weather.

# Fear N. Y. Federal Theatre May Be Wiped Out Oct. 31

Paul Edwards, administrator of the Federal Arts Project in New York, of which the Federal Theatre Project is a major part, expressed fear yesterday that the project may be wiped out as a result of the Senate measure which provides that the project will be continued after Oct. 31, only if local interests share the cost of operation.

Edwards disclosed yesterday that the city administration had been approached for municipal sponsorship, and although Mayor F. H. LaGuardia expressed interest in the project, he was "dubious about the city's providing financial sponsorship."

The administrator pointed out that if the 25 per cent sponsorship clause in the measure is retained, $2,500,000 in sponsor contributions will be needed to continue the New York projects. Edwards declared, "The Mayor has informed me that providing such a step is impossible."

The Mayor declared that local technicalities may interfere with city sponsorship, and expressed the belief that a heavy burden will fall on the city after Oct. 1 as a result of the provisions requiring dismissal from WPA rolls after 18 months of continuous employment.

# FIRST LOTTERY CONVICTION HERE

### Fine, Jail Term Given; All Games of Chance Illegal, Rules Court

Judge Bayes in Special Sessions, Brooklyn, yesterday imposed a fine of $500 and 30 days in jail on the management of the Atlantic Theatre, Brooklyn, on lottery charges. The court held that all chance games are illegal, regardless of the method.

This is the first conviction of its kind on record in Greater New York under this type of ruling.

**More Cases Pending**

Four or five similar cases against theatres are pending in Brooklyn and have been adjourned or will be pending appeal of the Atlantic case. The Atlantic is operated by Herman Eisenstadt. A Mr. May is the manager.

The I. T. O. A. is interested in fighting the case. Melvin Albert of Weisman, Quinn, Allan & Spett, counsel to the organization, appeared for the defendant. He argued that under the Court of Appeal's decision in People vs. Miller in 1937, chance games are legal when the participants are not required to pay a consideration, in this case an admission.

**Theatre to Appeal Case**

The court answered that even if only one patron buys admission to a performance when there is a game, that makes it illegal. Counsel plans to appeal.

The case of Christy Carnavos of the Momart Theatre, Brooklyn, also in-

(Continued on page 7)

# Let's Stop Fighting, Theatre Men Urged

Establishment of a home for the aged and disabled in the industry was urged by Jack Ellis, president of the Motion Picture Associates, at a luncheon meeting of the organization yesterday at the Astor.

Ellis said that the Associates plan to start a movement for such a home. He cited the charitable activities of the Variety Clubs in other cities, and declared that the Motion Picture Associates would affiliate with the Variety Clubs if it is a necessary means of extending its charitable work.

The luncheon was a testimonial to Leo Abrams, former Universal branch head here, who recently was placed in charge of Universal's shorts distribution, and David A. Levy, formerly M-G-M branch manager in New Jer-

(Continued on page 2)

# Norton Urges Better British Industry Ties

LONDON, June 28.—The greatest needs of the British film industry today are manpower and brains, and provision for equitable sales arrangements, Capt. Richard Norton declared in a paper read today at the annual Summer conference of the Cinematograph Exhibitors' Association at Blackpool.

Norton cited the fact that the strength of American producers often rested in writers, rather than stars. He declared it is virtually impossible to find a fair formula for the sale of British independent product, and asked distributors to give producers "a break." He suggested that discussions looking toward a greater liaison between producers and exhibitors be started.

Reginald Stamp, head of entertainment division of the London County Council, discussed theatre licensing problems and emphasized the need for cooperation between the licensing authorities and exhibitors. He warned exhibitors against widespread violation of the law prohibiting admission of children to films classed by the censor as adult entertainment.

Major C. H. Bell, in a paper on television, voiced exhibitor uneasiness over the situation and predicted that the 9,000,000 radio listeners in the country ultimately would be television viewers. He forecast patent difficulties, and saw the possible necessity for a new lease or rental system in the handling of telecasts by theatres.

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58 E. 42nd St.

# Purely Personal

**BEN KALMENSON**, western and southern sales manager for Warners, is scheduled to return to New York from a western trip on July 15.

•

CHARLES COBURN will play host at the opening of "Bachelor Mother" at the Music Hall todav to EUGENIE LEONTOVICH, ANNA NEAGLE, JOSEPH CUMMINGS CHASE, painter; STUART ROBERTSON, British singer and brother of MISS NEAGLE, and MRS. LELA ROGERS, mother of GINGER ROGERS, who stars in the film.

•

F. J. A. MCCARTHY, Universal eastern and southern sales manager, went to Jacksonville by plane yesterday shortly after his return to New York with W. A. SCULLY, general sales manager, from Gloversville. MCCARTHY will go to Nashville later, returning to New York in about two weeks.

•

ALBERTO SERGIO, Mexican musician and arranger, has arrived from Mexico City to handle Spanish orchestrations under EDWARD KAY, for Monogram's Spanish speaking version of "Girl from Rio."

•

MRS. M. A. LIGHTMAN, wife of the president of Malco Theatres, Memphis, and their daughter visited the World's Fair yesterday with EVELYN O'CONNELL, Paramount's official hostess.

•

ELLEN DREW, who arrives in New York tomorrow aboard the *Nieuw Amsterdam* from England, will star in "The Broken Heart Cafe" for Paramount.

•

ELLA HERBERT, daughter of Victor Herbert, has been signed by Paramount as technical adviser on Paramount's film, "Victor Herbert."

•

MR. and MRS. RICHARD THORPE, who have been in town for several days, will return to the coast at the end of the week.

•

RUFUS SHEPHERD, manager of the United Detroit Vogue Theatre, Detroit, visited Round Table headquarters yesterday.

•

JACK DAILEY, of the Paramount studio publicity department, is starting from Chicago on a nationwide tour of newspapers.

•

JOE ABRAMSON, former booker for Capitol Films, has returned to Chicago after eight months in Hollywood.

•

FLOSSIE FREEDMAN, English dramatic coach, has arrived in New York for a vacation.

•

RUTH GILLIS of M-G-M's film and research department celebrates a birthday today.

•

EDWARD LEVIN of the B. & K. publicity staff in Chicago, is vacationing.

•

JERRY KEYSER is sprucing up his Connecticut farm.

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**DOUGLAS FAIRBANKS, JR.**, has accepted an invitation to be guest of honor and speaker at the annual convention of the National Educational Association in San Francisco July 4.

•

IRVING CUMMINGS, currently directing "Hollywood Cavalcade" for 20th Century-Fox, will be tendered a luncheon at the studio today in observance of his thirtieth year with the industry.

•

HARRY COHN and AL HALL left New York for the coast yesterday. WESLEY RUGGLES, who planned to accompany them, is remaining in New York a few additional days instead.

•

S. D. SACKS, formerly connected with various lithographing companies which cater to the industry, has organized the Saxon Offset Lithograph Co. on E. 45th St.

•

ERROL FLYNN resumed work at the Warner lot yesterday in "The Lady and the Knight" following a week's absence due to injuries suffered in a motor accident.

•

MURRAY SILVERSTONE, MONROE GREENTHAL, JOE MALCOLM, ARTHUR LEE, MARTIN STARR, JACK TROP at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

C. H. STUART, manager of the Waco in Waco, Texas, and MRS. STUART are visiting the World's Fair.

•

WILL H. HAYS returned to New York yesterday from Indianapolis.

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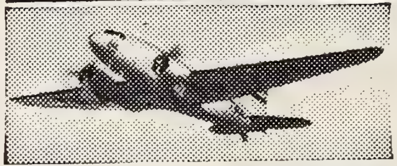
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# Let Us Stop Fighting, Plea To Film Men

(Continued from page 1)

sey, who has succeeded Abrams at Universal.

About 300, including film men and many exhibitors, attended. Ellis w toastmaster.

The trade practice code was referred to by some of the speakers, and indirectly the luncheon became a tribute to William F. Rodgers, M-G-M general sales manager, for his efforts in behalf of the code.

Louis Nizer, attorney, lauded Rodgers' efforts and pleaded for "cessation of the war that has been waged in the industry in the past several years." He said that much money has been lost to the industry in lawsuits as result of dissension, and urged that the "industry listen to Rodgers."

Harry Brandt, I. T. O. A. president, referred to the attacks made on Rodgers at the Allied national convention in Minneapolis and branded them "unfair."

In reply, Rodgers said: "Even though I was slightly slapped, I don't propose to stay down. In the main most of us in the business, exhibitors and distributors, have a kindly feeling toward each other, but there are a few who seek to sow the seeds of discontent. In a short time we will have a program that will make all of us happy."

Among others who spoke were William A. Scully, Universal general sales manager; Max A. Cohen, president of New York Allied; Tom Connors, M-G-M division manager, and Abrams and Levy.

In addition to those named, William Heineman, Universal division manager; Si Fabian, Moe Sanders, Sol Trauner, Charles Panzer and Moe Fraum were on the dais.

This was the Associates' last meeting of the season. Ellis announced the organization will have its annual dinner-dance Nov. 29 at the Astor.

## *Theatres Plug Programs*

SAN FRANCISCO, June 28.—Programs on KYA are getting intensive ballyhoo through the medium of theatre trailers here, in Oakland, and on Treasure Island. Ten first run houses are averaging 30 trailers a week.

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DAILY
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# First Meeting Of Industry's 25-Year Vets

Approximately 90 members of Picture Pioneers, the organization of industry veterans of 25 years or more which was launched recently by Jack Cohn, Columbia vice-president, are expected at the organization's first dinner tonight at the Barberry Room, 19 E. 52nd St.

Jack Cohn

Members of the organization, most of whom are expected at the dinner, are: Cohn, Charles C. Moskowitz, "Chick" Lewis, S. S. Krellberg, Rube Jackter, Louis Astor, Herman Robbins, Hal Hode, Nicholas M. Schenck, Arthur A. Lee, C. C. Pettijohn, Leo Brecher, G. B. Odlum, Ben Blumenthal, Harry M. Buxbaum, Leo Abrams, P. S. Harrison, Max A. Cohen, Edward A. Golden, J. E. Brulatour and Ned E. Depinet.

Also Harry H. Thomas, Marvin H. Schenck, W. F. Rodgers, Louis F. Blumenthal, William Brandt, Leopold Friedman, F. N. Phelps, Paul Gulick, George F. Dembow, Barney Balaban, George W. Weeks, F. F. McConnell, B. S. Moss, Clayton E. Bond, B. K. Blake, Samuel Rubenstein, L. J. Schlaifer, A. C. Hayman, A. P. Waxman, Dan Michalove, Leon Bamberger, M. J. Weisfeldt.

Also Ray Gallagher, Jake Milstein, Saul E. Rogers, Henry Sigel, Harry D. Buckley, Sam E. Morris, Joseph J. Lee, Thomas J. Connors, Moe Streimer, Samuel Rinzler, Robert S. Wolff, Joseph M. Seider, John C. Flinn, Abe Montague, S. H. Fabian, Joe Hornstein, Emil C. Jensen, A. S. Aronson, Oscar Hanson, Clair Hague, D. J. Chatkin, Charles H. Moses.

Also Herbert J. Yates, Max Levey, Jack Goetz, Terry Ramsaye, Martin Quigley, M. A. Schlesinger, Arthur W. Kelly, Louis Frisch, Jack Barnstyn, William M. Horne, Sam Dembow, Jr., George P. Skouras, Fred Rothenberg, Al Young, Tom Evans, Charles J. Hirliman, Jack Skirball, Joe Skirball, Sam Citron, Al Reid and Charles Stern.

## Seeks to Enforce Seattle Blue Laws

**Seattle, June 28. — Gray Warner, local prosecuting attorney, under fire from religious and civic groups for his failure to end vice and gambling, today ordered the police to enforce rigidly the blue law statute enacted in 1909.**

**The law requires all theatres, baseball games, horse races and other amusements to close on Sundays.**

# New York Preview

## "On Borrowed Time"

*(M-G-M)*

With complete fidelity to the original, M-G-M has transferred Paul Osborn's play, "On Borrowed Time," to the screen. As a play, it was highly successful, running for nearly a year on Broadway, and, especially to that type of audience which saw it on the stage, it should be equally appealing as a picture.

Osborn's play was based on the original novel by Lawrence Edward Watkin, published in 1937. It is at once a fantasy and a warming and moving story of an old man's fight to save his grandson from a grasping and bitter aunt, and his strange struggle with "Mr. Brink," who is Death, come to keep his varied appointments. He fights off Mr. Brink—for a time—trees him and holds the world "deathless" for a span of several days, then surrenders, as Pud, his grandson, goes with him at Mr. Brink's imperative summons.

Director Harold S. Bucquet was scrupulously careful in adhering to the stage original, and it was a wise decision. Alice D. G. Miller, Frank O'Neill and Claudine West wrote the screenplay and Sidney Franklin produced.

The cast is uniformly splendid, led by Lionel Barrymore as "Gramps," and Bobs Watson as "Pud," his grandson. Mr. Brink is flawlessly performed by Sir Cedric Hardwicke, while Beulah Bondi, Una Merkel, Henry Travers, Grant Mitchell and Eily Malyon, the latter as the obnoxious aunt, all deliver fine performances.

The story is a deft and engaging combination of fantasy and dramatic story. Basically it is the old man's fight to provide for the future of his grandson, after Mr. Brink keeps an automobile appointment with the boy's parents. Mr. Brink calls for Granny (Miss Bondi), and seeks out Gramps, but he, suddenly discovering that Pud's boyish wish comes true, holds Mr. Brink in the backyard apple tree.

Miss Malyon would have him committed as insane, in her effort to get boy and money. Torn between love of the boy and the damage he is causing by keeping death at bay, Barrymore finally gives in, but the forlorn Pud is made happy as Mr. Brink dares him to climb the fence, he falls, and is taken from his frightful suffering by Mr. Brink.

It is by no means ordinary entertainment, and should be treated as unusual by the exhibitor in his selling.

Running time, 99 minutes. "G."* CHARLES S. AARONSON

---

*"G" denotes general classification.*

## Pittsburgh Gives $6,700 to 'Juarez'

PITTSBURGH, June 28.—Rain and heat combined to make things difficult at local box-offices, but "Juarez" at the Warner succeeded in clearing a profitable $6,700.

Estimated takings for the week ending June 22:

**"Young Mr. Lincoln (20th-Fox), 3 days**
**"The Sun Never Sets" (Univ.), 4 days**
ALVIN—(1,850) (25c-50c). Gross: $3,400. (Average, $5,800)
**"Invitation to Happiness" (Para.)**
LOEW'S PENN—(3,450) (25c-50c) 7 days. Gross: $12,000. (Average, $14,000)
**"Captain Fury" (U. A.)**
STANLEY—(3,652) (25c-60c) 7 days, with Orson Welles Troupe on stage. Gross: $13,800. (Average, $18,000)
**"Juarez" (W. B.)**
WARNER—(2,000) (25c-50c) 7 days. Gross: $6,700. ( Average, $5,800)

## To Honor Wilkinson

NEW HAVEN, June 28.—George Wilkinson, operator of the Wilkinson, Wallingford, Conn., pioneer exhibitor of the territory, will be honored at a testimonial luncheon at the Racebrook Country Club on July 11. In charge of arrangements is Barney Pitkin, RKO manager, assisted by Irving C. Jacocks, Jr., Branford; Sam Rosen, Winsted; Thomas J. Donaldson, M-G-M manager; Ben Simon, 20th Century-Fox; John Pavone, Warners; Morris Joseph, Universal; Lou Wechsler, U. A.; T. O'Toole, Columbia; Edward Ruff, Paramount; Philip Sherman, Monogram; George Rabinowitz, Republic, and I. Levine, Grand National.

## Coast Brevities

HOLLYWOOD, June 28.—Bobby Vernon, comedy star of silent pictures and for past six years a writer at Paramount, died of a heart attack today. His mother, wife and daughter survive.

Howard Dietz, Metro's publicity and advertising director, left for New York by plane.

Warner studio was informed today that Poland has approved "Confessions of a Nazi Spy" without any deletions.

The defense in the trial of Technicians Local 37, which seeks restoration of its autonomy after having been suspended by International I.A.T.S.E., expects to complete its case by Friday night, George M. Breslin, attorney, said today.

## 20th-Fox Disputes U. S. on Dionne Tax

WASHINGTON, June 28.—Appealing from a ruling that it owes the Federal government $10,000 income taxes for 1936, attorneys for 20th Century-Fox, appearing today before the board of tax appeals, contended that the $225,000 paid the Dionne quintuplets was "compensation to non-resident aliens." They contended that the Commissioner of Internal Revenue erred by claiming that the $225,000 constituted royalties.

# Chicago Film Sales Facing Federal Writ

CHICAGO, June 28.—With the Government forces straining to get action in the anti-trust suit against B. & K. and major distributors here before the Summer adjournment of court, the possibility loomed today that an application this week will be made for an injunction to restrain distributors from selling new season's product until the case is decided.

Neither side would comment on the subject.

Hearing of the case continued in Federal court here today with branch managers Tom Gilliam, Warners; James Donohue, Paramount; Irving Schlank, United Artists, and Clyde Eckhardt, 20th Century-Fox, taking the stand. For the most part, they identified information regarding picture contracts and clearance schedules.

## Subsidy Delay Hurts Mexican Producers

MEXICO CITY, June 28.—Government's delay in coming through with the subsidy it promised them has Mexican producers frankly worried. They are holding meetings to devise some plan for approaching the Government again regarding this financing or to find badly needed money from another source. The Government's financial condition is none too good.

Contending that lack of the promised subsidy, some $60,000, is holding up start of production of his first picture, "La Marcha Zacatecana" ("Zacatecas March"), a romance based upon one of Mexico's standard marches, Roberto Soto, veteran stage comedian, has asked the Government to put up at least part of the promised money.

## Trust Action Drops 8 Ex-RKO Officials

Federal Judge Edward A. Conger yesterday signed an order approving of steps taken by the Government to drop as defendants in its anti-trust suit Cornelius N. Bliss, Edward H. Harden, DeWitt Millhauser, David Sarnoff, Maurice Goodman and Frederick Strauss, as former directors of RKO; Merlin H. Aylesworth, former chairman of the board, and Courtland Smith, former president of Pathe News Inc.

Recently stipulation was entered into between the Government and the Irving Trust Co. as trustee of RKO, consenting to the elimination of former directors of RKO as defendants.

## Sam Wood Signs Goldwyn Contract

HOLLYWOOD, June 28.—Sam Wood was signed to a long term contract with Samuel Goldwyn today. His first assignment will be "Raffles," with David Niven and Olivia De Havilland.

Wood, who directed "Goodbye Mr. Chips," has been employed in Hollywood 24 years, 10 of which were with Paramount and the past 14 with M-G-M. His association with Goldwyn is effective immediately.

**"IT'S SUPERIOR TO 'FOUR DAUGHTERS'!"—WALTER WINCHELL · "WILL TRUMP 'FOUR DAUGHTERS' FOR THE B. O. SLAM! IT'S A LOLLAPALOOZA! THE CAST IS SUPER-SUPER!"—FILM DAILY "SAME B.O. APPEAL AS 'FOUR DAUGHTERS'. DESERVES A NICHE ALL ITS OWN!"—M. P. DAILY · "A MAJOR FILM ACHIEVEMENT. IT WILL UNQUESTIONABLY DRAW HEAVILY!"—HOLLYWOOD REPORTER · "TOP FLIGHT IN ENTERTAINMENT. SHOULD DO EVEN BETTER THAN 'FOUR DAUGHTERS!"— DAILY VARIETY "REPEATS THE EXCELLENT JOB OF 'FOUR DAUGHTERS'. THERE'S A READY MADE AUDIENCE EAGER TO SEE IT!"— VARIETY "HAL B. WALLIS AND HENRY BLANKE HAVE TURNED OUT MANY A BIG PICTURE. THIS RATES WITH THEIR BEST ON ANY AND EVERY BASIS OF COMPARISON! BETTER THAN 'FOUR DAUGHTERS'."—M. P. HERALD · "IT'S REALLY GREATER THAN 'FOUR DAUGHTERS'!"—N. Y. DAILY MIRROR · "THERE IS ONLY A POSSIBLE MARGIN OF SURPRISE BETWEEN 'FOUR DAUGHTERS' AND THIS."—N.Y.TIMES · "IF YOU LIKED 'FOUR DAUGHTERS' YOU ARE CERTAIN TO BE ENTERTAINED BY THIS!" —N. Y. HERALD TRIBUNE · "WARNERS TURNED OUT A MUCH BETTER PICTURE IN THIS THAN THEY DID IN 'FOUR DAUGHTERS'."—N. Y. MORNING TELEGRA**

After a Phenomen
five days in the first city
playing time has been Extended

# Daugh
# Cour

*We couldn't better the 'F*
*so we united them for a*

## JOHN GA

CLAUDE

JEFFREY LYNN · FAY BAINTER · DONALD CRIS

*and THE "FOUR*

## PRISCILLA LANE ·
## LOLA LANE ·

Directed by MICH

Original Screen Play by Julius J and Phillip G. Epstein · Su
Music by Max Steiner · A

**Jack L. Warner**
*In Charge of Production*

**Hal B. Wa**
*Executive Prod*

Successful
gage it, New York,
finitely for Warner Bros.'

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IELD

Y ROBSON · Frank McHugh · Dick Foran

*TERS"*

SEMARY LANE
LE PAGE

CURTIZ

by Dorothy Bennett and Irving White
icture

**Henry Blanke**
*Associate Producer*

# MOTION PICTURE DAILY'S HANDY BOOKING CHART

**[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]**

| | COLUMBIA | M-G-M | PARA. | REPUBLIC | RKO RADIO | 20TH-FOX | U. A. | UNIVERSAL | WARNERS | MONOGRAM |
|---|---|---|---|---|---|---|---|---|---|---|
| May 26 | **Missing Daughters**<br>**Only Angels Have Wings** | **Bridal Suite**<br>*Robert Young*<br>*Annabella*<br>*W. Connolly*<br>(G) (C) | **Unmarried**<br>*Buck Jones*<br>*Donald O'Connor*<br>**Stolen Life**<br>*Bergner* | **The Zero Hour**<br>*Inescort*<br>*Otto Kruger*<br>*Adrienne Ames* | **Racketeers of the Range**<br>(O)<br>*O'Brien* | **The Gorilla**<br>*Ritz Bros.*<br>*Anita Louise*<br>*Patsy Kelly* | **Captain Fury**<br>*Aherne*<br>*McLaglen* | **They Asked For It**<br>*Lundigan*<br>*Joy Hodges*<br>*Whalen* | **Code of the Secret Service**<br>*Reagan*<br>*Towne* | **Across the Plains**<br>*Jack Randall*<br>(June 2) |
| June 2 | **Lost Horizon (reissue)**<br>**Trapped in the Sky** | | **Gracie Allen Murder Case**<br>*Allen*<br>*Warren William* | **S.O.S. Tidal Wave**<br>*Ralph Byrd*<br>*Kay Sutton*<br>*George Barbier* | **The Girl From Mexico**<br>*Lupe Velez*<br>*Donald Woods*<br>(G) (C) | **The Jones Family in Hollywood** | | **Inside Information**<br>*June Lang*<br>*Dick Foran*<br>*Harry Carey* | **The Man Who Dared**<br>*Grapewin*<br>*Jane Bryan* | **Should a Girl Marry?**<br>*Anne Nagel*<br>*Warren Hull*<br>(June 9) |
| June 9 | | **6000 Enemies**<br>*Walter Pidgeon*<br>*Rita Johnson*<br>(G) (D) | **Undercover Doctor**<br>*Lloyd Nolan*<br>*J. Carroll Naish*<br>*Janice Logan* | **Mountain Rhythm**<br>(O)<br>*Gene Autry* | **Saint in London**<br>*George Sanders*<br>*Sally Gray*<br>(G) (D) | **Young Mr. Lincoln**<br>*Fonda*<br>*Alice Brady*<br>(G) (D) | | **The Sun Never Sets**<br>*Rathbone*<br>*Fairbanks, Jr.*<br>(G) (D) | **Juarez**<br>*Bette Davis*<br>*Paul Muni*<br>*Brian Aherne*<br>(G) (D) | **Stunt Pilot**<br>*John Trent*<br>**Roll, Wagon, Roll (O)**<br>(June 30) |
| June 16 | **Awful Truth (reissue)**<br>**Western Caravans (O)** | **Tarzan Finds a Son**<br>*Weissmuller*<br>*O'Sullivan* | **Invitation to Happiness**<br>*Dunne*<br>*MacMurray*<br>(G) (D) | | **The Girl and the Gambler**<br>*Steffi Duna*<br>*Carrillo* | **Charlie Chan in Reno**<br>*Sidney Toler*<br>*Ricardo Cortez*<br>*Phyllis Brooks* | | | **Nancy Drew Trouble Shooter**<br>*Bonita Granville*<br>*Frank Thomas, Jr.*<br>(G) (D) | **The Man from Texas (O)**<br>*Tex Ritter*<br>(July 21) |
| June 23 | **Clouds Over Europe**<br>*Olivier*<br>*Valerie Hobson*<br>(G) (D) | **Maisie**<br>*Ann Sothern*<br>*Robert Young* | **Grand Jury Secrets**<br>**Heritage of the Desert**<br>(O) | **In Old Caliente**<br>*Roy Rogers*<br>*Mary Hart* | **Five Came Back**<br>*Chester Morris*<br>*Lucille Ball*<br>(G) (D) | **Susannah of the Mounties**<br>*Shirley Temple*<br>*Scott* | | | **The Kid from Kokomo**<br>*O'Brien*<br>*Wayne Morris*<br>(G) (C) | |
| June 30 | **Parents on Trial**<br>**Good Girls Go to Paris** | **Stronger than Desire**<br>*Virginia Bruce*<br>*Walter Pidgeon*<br>(A) (D) | **Bulldog Drummond's Bride**<br>*John Howard*<br>*Heather Angel* | **Wyoming Outlaw (O)**<br>*John Wayne* | **Timber Stampede**<br>*Geo. O'Brien* | **It Could Happen to You**<br>*Gloria Stuart*<br>*Stuart Erwin*<br>(G) (D) | | **House of Fear**<br>*Wm. Gargan*<br>*Irene Hervey* | | |
| July 7 | | **On Borrowed Time**<br>*Lionel Barrymore*<br>*Hardwicke* | **Man About Town**<br>*Jack Benny*<br>*Dorothy Lamour*<br>(G) (C) | **Mickey, the Kid**<br>*Bruce Cabot* | **Career**<br>*Anne Shirley*<br>*Edward Ellis* | **Mr. Moto Takes a Vacation**<br>*Peter Lorre*<br>*Schildkraut* | | **Unexpected Father**<br>*Baby Sandy*<br>**Forgotten Woman**<br>*Sigrid Gurie* | **Naughty But Nice**<br>*Dick Powell* | **G. N.**<br>**Exile Express**<br>*Anna Sten*<br>*Alan Marshal*<br>(May 26) |
| July 14 | **A Woman Is the Judge**<br>*Rochelle Hudson* | **They All Come Out**<br>*Rita Johnson* | **Million Dollar Legs**<br>*Betty Grable*<br>*Jackie Coogan* | **She Married a Cop**<br>*Phil Regan*<br>*Jean Parker* | **Of Human Bondage**<br>**The Lost Squadron**<br>**(reissues)** | **Second Fiddle**<br>*Henie*<br>*Power*<br>*Vallee* | | **I Stole a Million**<br>*George Raft*<br>*Claire Trevor* | **Waterfront**<br>*Gloria Dickson*<br>**Hell's Kitchen** | **Singing Cowgirl (O)**<br>*Dorothy Page*<br>(June 2) |
| July 21 | **Blondie Takes a Vacation**<br>*Penny Singleton*<br>**The Man from Sundown** | **Andy Hardy Gets Spring Fever**<br>*Rooney*<br>*Lewis Stone* | **Magnificent Fraud**<br>*Akim Tamiroff*<br>*Lloyd Nolan* | | **Way Down South**<br>*Bobby Breen*<br>*Alan Mowbray* | **News Is Made at Night**<br>*Preston Foster*<br>**Ware Case**<br>*Clive Brook* | **They Shall Have Music**<br>*Jascha Heifetz*<br>*Andrea Leeds* | | **Daughters Courageous**<br>*John Garfield*<br>*Priscilla Lane*<br>(G) (D) | |
| July 28 | **Escape from Alcatraz**<br>*Brian Donlevy*<br>*Jacqueline Wells* | **Goodbye, Mr. Chips**<br>*Robert Donat*<br>**Miracles for Sale**<br>*Robert Young* | **Island of Lost Men**<br>*Anna May Wong*<br>*Truex*<br>*Blore* | **Colorado Sunset (O)**<br>*Gene Autry*<br>*Smiley Burnette* | **The Spellbinder**<br>*Lee Tracy*<br>*Barbara Read* | **Frontier Marshal**<br>*Randolph Scott*<br>*Binnie Barnes* | **Winter Carnival**<br>*Ann Sheridan*<br>*Richard Carlson* | | **Cowboy Quarterback**<br>*Bert Wheeler*<br>*Marie Wil*<br>*Gloria Dickson* | |

# 'Juarez' Gets $30,000 in 2 L. A. Houses

Los Angeles, June 28.—"Juarez" scored well with $30,000 in two houses for the second week, $14,500 at the Warner Hollywood and $15,- at the Warner Downtown. "Goodbye, Mr. Chips" was still strong with $6,900 in its sixth week at the 4 Star.

Estimated takings for the week ending June 28:

**"Tarzan Finds a Son" (M-G-M)**
**"Winner Take All" (20th-Fox)**
CHINESE — (2,500) (30c-$1.00) 7 days. Gross: $9,000. (Average, $12,500)
**"Goodbye Mr. Chips" (M-G-M)**
4 STAR—(900) (40c-50c) 7 days, 5th week. Gross: $6,900. (Average, $3,250)
**"The Mikado" (Univ.)**
**"Blind Alley" (Col.)**
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $7,100. (Average, $6,500)
**"Tarzan Finds a Son" (M-G-M)**
**"Winner Take All" (20th-Fox)**
LOEW'S STATE — (2,500) (30c-$1.00) 7 days. Gross: $15,900. (Average, $14,000)
**"The Mikado" (Univ.)**
**"Blind Alley" (Col.)**
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $7,400. (Average, $7,000)
**"The Old Dark House" (Univ.)**
**"My Man Godfrey" (Univ.)**
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Don Rice. Gross: $10,000. (Average, $18,000)
**"Juarez" (W. B.)**
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $14,500. (Average, $14,000)
**"Juarez" (W. B.)**
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $15,500. (Average, $12,000)

# *Arbitration Rule Changes Called Certain By I.T.O.A.*

Changes in the arbitration rules requested by representatives of independent exhibitors will be made in the trade practice code, according to the I.T.O.A.

"After conferences which have already been held, we are certain these rules will be changed in accordance with our wishes and so make arbitration a fact, resulting in the general improvement of our business," says an I.T.O.A. statement.

The organization states that this is also the sentiment of the other independent exhibitors' groups which participated in the negotiations, and that they will sign the code with the knowledge that the requested changes will be made.

The chief revision asked for is that in arbitration disputes involving clearance, the affiliated theatre and distributor be represented by one arbitrator instead of a spokesman for each, as provided. The independents claim this would give them equal footing.

At a meeting of the I.T.O.A. yesterday at the Astor, Harry Brandt, president, reported on the national Allied convention in Minneapolis, which he attended. He was critical of the proceedings, and again urged "every exhibitor in the United States to sign the code after it has been approved by the I.T.O.A." and the independent groups with which it is cooperating.

"We want the industry regulated from within and we are extending every effort toward that end," said Brandt. "If our efforts fail, then we shall resort to Government aid and protection."

## *Allied of N. Y. City Elects Max Cohen*

Max Cohen of Brooklyn was elected regional vice-president of the New York City unit of Allied Theatre Owners of New York at a meeting yesterday.

George Abramson of the New United Theatre, Brooklyn, was elected secretary and Louis Goidel chairman of the grievance committee.

The committe will report at unit meetings once a month and attempts will be made to adjudicate differences with distributors and exhibitors.

## *Exhibitors Protest High Film Rentals*

New Haven, Conn., June 28.—At the largest meeting of exhibitors held here in years, theatre owners today went on the warpath against increased film rentals which they said are being demanded despite decreasing grosses. Associations have dropped their lines and are preparing for unified action.

# First Lottery Jail Sentence In New York

(*Continued from page 1*)

volving a lottery, was due to be heard following the Atlantic case, but counsel asked for postponement pending determination of the Atlantic case on appeal. The Momart case was then adjourned to Nov. 20.

Motion for transfer of the Momart case to Kings County Court, which would have permitted a jury trial, was previously denied.

### Exhibitors Sought Giveaway Elimination

New York exhibitors have been attempting for months to arrive at a plan to eliminate giveaways. Efforts to reach a citywide agreement have failed, but exhibitors in the midtown section have agreed to abolish chance games beginning July 3 in the area from 34th and 72nd Sts. on the west side and 34th to 59th Sts. on the east side.

License Commissioner Paul Moss attempted to bring exhibitors together on a no-giveaways policy last winter, and suggested that this be done in one section as an experiment. If it succeeds, he suggested that it be extended to other areas in Greater New York.

There has never been
a picture to prove the
marvels of color like
FOUR
FEATHERS

## Stations Show $111,358,000 Total Revenue

WASHINGTON, June 28.—Total revenues of three major networks and 660 broadcast station licensees for the past year exceeded $111,358,000, against which broadcast expenses of $92,504,000 were charged, it was reported today by the Federal Communications Commission.

Total time sales by nets and stations brought in $117,379,000 from which commissions of $16,487,000 were deducted.

Of the 660 stations reporting, 240 showed losses for the year of $2,223,195, one broke even, and 419 reported a net income of $16,728,533.

Only 175 stations had time sales of less than $25,000 it was shown. As a group these stations showed a loss although, individually, a few reported a profit. Payroll expenditures of 658 stations and networks were $45,663,000 and at the close of the year they employed a total of 23,060 persons, including staff musicians and other artists on the regular payroll.

## *Wanger Sues News For $1,000,000 Libel*

Walter Wanger and the Walter Wanger Productions, Inc. filed a $1,000,000 libel suit yesterday against the News Syndicate Co., Inc., publisher of the *Daily News,* and Ed Sullivan, in the N. Y. Supreme Court.

Application to dismiss the suit for failure to state a cause of action will be heard today by N. Y. Supreme Court Justice William T. Collins.

Wanger contends that the defendants in "Hollywood, by Ed Sullivan," published in the *Daily News* on May 21, 1939, implied that he produced inferior motion pictures and that he lacks the skill and ability to produce high quality films.

The idea conveyed by Sullivan to both the film industry and the general public, the complaint stated, was that the plaintiffs associated with United Artists solely for the purpose of supplying inferior motion pictures.

The law firm of Schwartz & Frohlich is representing Wanger in the action.

## *City Will Get New Full-Time Station*

WASHINGTON, June 28.—F. C. C has approved an application for authority to transfer station WPG, Atlantic City municipal station, to New York City.

Greater New York Broadcasting Corp., of which Arde Bulova is the head, proposes to acquire WPG and transfer it to New York. Under the proposal, Bulova would then consolidate WPG, WOV and WBIL into one full-time station. The new New York station would operate at 5,000 watts, full time.

## *Rivoli Closing*

The Rivoli will close tomorrow, following the run of "Stolen Life," to complete alterations prior to the opening on July 26 of the Samuel Goldwyn-U.A. film, "They Shall Have Music."

# BANNER LINES

By JACK BANNER

ONE little word after another, and some day a press release will come along that doesn't identify Andy Devine as the "gravel-voiced" comic. . . . George Ross, the *World-Telegram* Broadway columnist, will do a weekly interview and gossip stint via NBC television starting next week. . . . Alton Cook of the same paper and its radio editor is doing a series on old-time vaudeville. . . . Smart tie-up by Sammy Kaye with the Loew Theatres. His recordings will be played as exit music in the chain's Metropolitan houses.

▼

CBS is realigning its morning WABC programs. . . . NBC's television department is trying to effect a deal with English and French newsreel companies for a bi-weekly release via television. . . . Frank Lovejoy, the "Gangbusters" actor, marries Frances Williams of Billy Rose's Aquacade today. . . . Leonard Carlton, *The Post* radio critic, to vacation next week, with Lester Rice doing the column in his absence. . . . Martin Weldon, WINS announcer and theatrical critic, vacations via freighter to Porto Rico beginning in July. . . . Ballantine's Inn at the World Fair has bought a twice weekly musical period over WMCA.

▼

Backs of the fight tickets for last night's championship brawl carried the printed warning "no televising permitted." . . . The musicians' union has authorized permission, and so Paul Whiteman's 13-year-old son will tour with the band this Summer to play drums during jam sessions. Whiteman's regular drummer will be retained. . . . It appears than Bea Lillie will be back on the air this Fall. . . . Joe Penner has been signed by Ward Baking Co. for a Fall program. . . . An ambulance waited outside the Canadian Broadcasting Corp. studios in Montreal while Rupert Kaplan, actor-producer, finished an air stint, and then whisked him to the hospital for an operation.

▼

Hy Gardner of the *Brooklyn Eagle* will do a guest shot on "Gotham Nights" over WOR Sunday. . . . WHN as well as WOR will carry the Hotel Roosevelt commercial. . . . "Little Foxes" is now using spot announcements over WHN to advertise the show. . . . NBC divisional engineers, who meet once a year, and now in town, are W. J. Purcell, Schenectady; A. E. Johnson, Washington; S. E. Leonard, Cleveland; H. C. Luttgens, Chicago; C. A. Peregrine, Denver; A. E. Saxton and C. D. Peck of San Francisco. New York divisional engineers are J. O. Milne and George McElrath.

## *'Boost Broadway' Drive Proposed at Cantor Fete*

A campaign to boost Broadway and its entertainment attractions was urged at a testimonial in honor of Eddie Cantor yesterday at the Astor by H. Frederick Bright, managing director of the Broadway Association.

Bright, who was toastmaster, said that in the last few weeks there have been "a great many complaints" that the World's Fair had hurt Broadway.

"In the last few days, however, hotels, night clubs and theatres tell us that business is picking up," he continued. "World's Fair visitors are coming to Broadway in large numbers."

Bright urged use of the slogan, "Come to Broadway—the permanent World's Fair" to boost business during the time the Fair will be closed and in the future.

About 200 members of the Association, comprising business men, and a number of Loew and M-G-M executives and Broadway personalities turned out for the luncheon.

L. L. Strauss, Association president, presented Cantor a scroll signed by those present. It read, "Welcome, Eddie, back to the street you helped make famous." The occasion was in honor of Cantor's return to a Broadway stage after an absence of six years. He opens today at Loew's State for a week's engagement.

Cantor responded: "Everything I have in the world I owe to this street."

Stanley M. Isaacs, borough president of Manhattan; Rudy Vallee and Dr. Christian F. Reisner, pastor of the Broadway Temple, were other speakers. Mrs. Cantor was present.

The committee of welcome to Cantor included: C. C. Moskowitz, William Morris, Raymond Massey, Irving Berlin, Milton Berle, Stanley Boriss, Maurice Brill, Gene Buck, Irving Caesar, Alan Corelli, Robert K. Chistenberry, Bobby Clark, George M. Cohan, Mayor F. H. LaGuardia, Peter Fuchs, Paul Hollister, Stanley M. Isaacs, George Jessel, Chic Johnson, Al Jolson, Leo Lindy, Maurice Miller, Victor Moore, Ole Olson, Harry Richman, Bill Robinson, Dave Rubinoff, Kay St. Germaine, Sophie Tucker, Rudy Vallee and Fred Waring.

### *Borough President Opposes Signs Ban*

**Stanley M. Isaacs, Manhattan's borough president, declared himself against the City Planning Commission's proposal to limit signs, marquees and other displays in Times Square.**

**Speaking at the Eddie Cantor testimonial luncheon at the Astor yesterday, he said: "I want to see no control that will dim the bright lights of Broadway. Entertainments are the life blood of the city."**

## Chicago Shuts 22 Theatres For Summer

CHICAGO, June 28.—Twenty-tw theatres have closed to date for th Summer in Chicago, according to report from the Operators' Unio This is the largest number of Su[illegible] closings here in years. In th[illegible] two years less than 10 houses wer shuttered for the hot months.

Allied Theatres of Illinois recentl announced that from half to three fourths of their members planned t shut down unless conditions improve This decision, they said, is prompte largely by their inability to obtai lower film rentals.

Shortage of pictures compels th closing of the RKO Palace here tomorrow with the reopening schedule Sept. 1.

Notices of possible shutdown hav been served on employes of the Roosevelt and Apollo, B. & K. houses, an the Oriental, operated by Jones, Linick & Schaefer. All three are in the Loop.

## *M-G-M Dedicates Times Square Booth*

Several thousand persons lined Times Square and many stood on roofs to witness the dedication of the Loew-M-G-M World's Fair Information Center yesterday noon.

George Hamilton Combs, WHN commentator, introduced the speakers. Eddie Cantor officiated at the dedication. "They couldn't bring Times Square to the Fair, so they brought the Fair to Times Square," he quipped.

Other speakers were L. L. Strauss, president, Broadway Association; Stanley M. Isaacs, borough president of Manhattan; Col. John Reed Kilpatrick, president of Madison Square Garden and of the West Side Chamber of Commerce, and Richard Thorpe, M-G-M director.

## *Delay Test Hearing On B. & K. Contests*

CHICAGO, June 28.—Municipal Court Judge Hastens today postponed until July 18 hearing of the city's action against Balaban & Katz for running a "jitterbug" contest at the State-Lake and "Dr. I. Q." broadcasts from the stage of the Chicago.

City officials are seeking to determine whether the contests fall within the category of "games of chance." B. & K. officials declare that participants in the contests may continue to appear until the case is heard. Circuit officials were summoned to appear at the hearing to establish the legality of the contests.

## *G N Financing Plan Facing New Delay*

Second adjournment of the special meeting of Educational-Grand National stockholders scheduled today to act on the proposed new financing for the companies appeared likely yesterday when proxies for an estimated 10,000 shares still were needed to obtain a quorum for today's meeting. The session, originally scheduled for a week ago, was postponed to today for lack of a quorum.

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# loss Would Clear Games Policy Here

## 'eeting With Exhibitors Probable Next Week

License Commissioner Paul Moss ns to meet with an independent hibitors' committee next week to cuss the chance games situation in light of the conviction Wednesday the Atlantic Theatre in Brooklyn lottery charges.

Moss said he wants to help the exbitors work out the problem and ll render any assistance possible if quested. He recalled that it was his instance that arrests of theatre anagers were inaugurated five years in the five boroughs.

More recently, however, the Comssioner has been attempting to obin an agreement among exhibitors abolish the practice.

An I.T.O.A. committee appointed consider the situation includes avid Weinstock, Ray Rhonheimer, rnard Brandt and Harry Pear.

Counsel for the Atlantic Theatre s started preparing the appeal to e appellate division of the Supreme urt. In the event that the case ay not be heard until fall, it is posle that an emergency session of the urt will be asked. If the decision against the theatre there, an appeal ill be taken to the Court of Appeals, hich once held chance games legal hen no admission is required.

# A Defends Power Despite AFA Blast

A double-barreled charge of accutions was fired at the Associated ctors and Artistes of America yesrday by its member union, Amerin Federation of Actors.

The charges were made by Abraam J. Halprin, AFA attorney, durg a hearing to determine whether e 4A's would furnish, as the AFA quested, a bill of particulars giving tails of its charges upon which the FA is scheduled to be heard on uly 10.

Sophie Tucker, president; Ralph hitehead, executive secretary, and ree AFA delegates appeared at the earing with Halprin.

The 4A's International Board (parnt organization of all actors' unions) ecided it would furnish by July 5 nly whatever information its attorey deems necessary.

Paul Turner, attorney for the

(Continued on page 10)

# *Picture Pioneers Elect Jack Cohn; Frolic Like Youth*

Banishing all business worries, 108 pioneers of the motion picture industry frolicked with youthful enthusiasm last night at the Barberry Room, 10 E. 52nd St.

The occasion was the first get-together of Picture Pioneers, a new organization consisting of persons with a record of 25 years or more in the industry.

In an impressive ceremony, Judge Ferdinand Pecora administered an "oath" to the 108 veterans, all swearing that they have actually served 25 years or more in the film business.

### Pecora Honorary Member

The pioneers promptly made Judge Pecora the first honorary member. But no sooner had he accepted the tribute than he regaled the crowd with the revelation that he, too, was a film pioneer, having operated as far back as 1914 a projection machine and a song slide at a theatre on 14th St.

Following invocation by Jack H. Skirball, vice-president of Grand National, Ned E. Depinet nominated Jack Cohn, vice-president of Columbia and founder of Picture Pioneers, as house manager. He was unanimously elected.

Cohn appointed the following executive committee to prepare a slate of nominations for the remaining offices to be filled: Cohn, Marvin H. Schenck, George Schaefer, Herman

(Continued on page 10)

# SIX MAJORS DENY MONOPOLIES, ASK U.S. TO DROP SUIT

By SHERWIN A. KANE

Blanket denials of all allegations of conspiracy and violations of the Federal anti-trust laws were made by six groups of film companies which yesterday filed nine separate answers to the Government's bill of complaint in the anti-trust action begun one year ago.

The answers, filed in U. S. District Court here, contended that many of the Government's definitions of trade terms are either erroneous or inaccurate.

They denied without qualification the charges of the Government that they have combined to monopolize production, distribution and exhibition, and denied that they have engaged in any of the unfair trade practices charged or made any discrimination in their dealings between affiliated and independent theatres.

In conclusion, the defendants asked that, having made complete answers to the Government's complaint, the anti-trust action be dismissed.

Answers were filed by Paramount on behalf of itself and 19 officers and directors; by Keith-Albee-Orpheum for Malcolm Kingsberg and Leon Goldberg; by Irving Trust Co., as trustee of RKO; RKO Pathe News, Van Beuren Corp., RKO Proctor Corp., RKO Midwest Corp. and seven individual officers and directors; Loew's and M-G-M with M-G-M Distributing Corp. of Texas and 17 officers and directors; 20th Century-Fox for itself, Movietonews, 20th Century-Fox of Texas, 20th Century-Fox Distributing Corp. and 15 offi-

(Continued on page 8)

# Heart Attack Fatal To Phil Di Angelis

Phillipe Di Angelis, one of the last of the oldtime theatrical and film billboard "snipers," died Wednesday night at his home in Yonkers from a heart attack while listening to the Tony Galento-Joe Louis fight broadcast. He was 59 years old.

Di Angelis conducted his own Di Angelis Outdoor Advertising Co., New York, and carried out all of M-G-M's billboard campaigns with William R. Ferguson, exploitation di-

He was known in billboard and theatrical circles from coast to coast, at one time or another handling bill-

(Continued on page 8)

# *"Second Fiddle"*

**[20th Century-Fox]**

## *"Second Fiddle"*

*(Twentieth Century-Fox)*

Hollywood, June 29.—It's true what they've been saying in the ads about "Second Fiddle." The picture is an entertainment natural and a box-office property a hungry showman can sink his exploitation teeth into. It's a right kind of film for the time of year and in more than one respect for the several stellar personalities concerned as well as for the screen in general at this somewhat debatable point in its career. It's a hit.

Associate Producer Gene Markey or studio chief Darryl Zanuck and/or director Sidney Lanfield, screen playwright Harry Tugend, author George Bradshaw or all of these gentlemen seem to have been stricken with a broadside of good ideas.

One, of course, was to have Irving Berlin dash off a half-dozen songs for the picture, but that's just plain common sense. A rarer thought was to bring Tyrone Power back to the world of here and now by casting him as a studio press agent and letting him play it as is.

Of a pattern with this intelligent and timely enterprise was the con-

(Continued on page 8)

# Vote on Neely Bill Looms Next Week

Washington, June 29.—Senator Neely declared in the Senate today that he would offer a motion next Thursday for immediate action on his film legislation.

Neely first said he would offer his motion on Wednesday, but deferred his action when Floor Leader Barklev pointed out that the Senate had more important business before it and plans to recess from Saturday until Wednesday.

Senator White of Maine, who also urged that action be postponed a day, indicated his desire to be present when the bill is discussed. Since he may not be present on Wednesday, he suggested that the bill be held over until the following session.

White's suggestion indicated that he would speak on the measure during the debate. When it was before the Senate last year, he was one of two members voting against the bill.

# Two Parleys For National Theatres Set

National Theatres has set two regional conventions, the first in Kansas City, Aug. 8 to 10, for theatre staffs in the Milwaukee, Denver and Kansas City divisions, and the second Aug. 14 to 16 in Los Angeles for Seattle, northern California and southern California divisions.

Chief feature will be the awarding of prizes in the Spyros Skouras Showmanship Campaign, which ends July 8. A total of 165 prizes will be awarded, aggregating $25,000, on the basis of business increases. Arch Bowles, northern California division manager, is field marshal of the campaign.

Discussions will be on plans for the new season, the annual business campaign to start in the Fall and operations generally. Product deals closed for the new season will be detailed.

Attending both meetings will be Spyros Skouras, National Theatres chief, and Charles Skouras, head of Fox West Coast, as well as J. J. Sullivan, William Powers, Irving Barry and Edward Zabel of the home office. Aubrey Schenck, Milton Hossfeld and George Balsdon of the home office will attend the Kansas City meeting.

## *Adolph Zukor Sails; Will Visit Australia*

LOS ANGELES, June 29.—Adolph Zukor, chairman of the board of Paramount, and Mrs. Zukor, sailed today on the *Matsonia* for Honolulu, en route to Australia.

Following a short vacation in Honolulu, Mr. and Mrs. Zukor will be joined by John W. Hicks, vice-president in charge of foreign sales, and Mrs. Hicks on the *Niagara*, bound for Australia. Mr. and Mrs. Zukor plan to return home Aug. 18 on the *Monterey*.

## *G. B. Garbarino Dies*

TORONTO, June 29.—G. B. Garbarino, 62, local exhibition veteran, and owner of the Odeon, neighborhood house for nearly 25 years, died here. His two sons will continue operation of the theatre.

## *Massey Lounge Host*

Raymond Massey, star of "Abraham Lincoln in Illinois," who will play in the RKO film based on the play, will be at the RKO World's Fair lounge at 11:30 A. M. next Wednesday to greet exhibitors and other visitors.

ATLANTIC BEACH HOTEL
and Bath Club • LONG ISLAND
Former Home of ATLANTIC BEACH CLUB
•
Complete Hotel Facilities
BEACH CLUB
Cabanas and Bath Cabins
•
NON-MEMBERS MAY INQUIRE
Phone:
BArclay 7-0535 — Cedarhurst 7700

# *Purely Personal*

JOHN HICKS, RUSSELL HOLMAN, JOHN BRYAM, CHARLES E. MCCARTHY, HERMAN ROBBINS, GEORGE DEMBOW, ARCH REEVE, SAM SHAIN, BEN WASHER at Nick's Hunting Room in the Astor for luncheon yesterday.

•

HOWARD DIETZ, M-G-M advertising and publicity director, returned yesterday from the coast. WILLIAM HEBERT, publicity head for Selznick International, also arrived. He and DIETZ will set plans for publicizing "Gone With the Wind."

•

GLENDA FARRELL, currently on a vacation from Hollywood, leaves for Westport, Conn., tomorrow for six weeks of legitimate plays, starting with a week in "Anna Christie" at the Playhouse.

•

RICHARD ROWLAND, JOSEPH MOSKOWITZ, JOE PINCUS, JACK GOETZ, MONROE GREENTHAL, CHARLES STERN, CAL SWANSON and MOE STREAMER lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

DAVE BURNS, former legitimate player currently appearing in RKO's "The Saint in London," is in town from London on a vacation. He returns July 29.

•

PRISCILLA LANE, Warner star, has been chosen America's typical daughter by the Gold Star Mothers. National Daughter's Day is celebrated July 23.

•

FRANK M. MURPHY, manager of Loew's State, Syracuse, and JOAN GALLAGHER of Loew's Boston office have announced their engagement.

•

MICHAEL SHATIN, Warners managing director in Japan, leaves today for the coast en route to his headquarters in Tokyo.

•

BARRET KEISLING, M-G-M studio traveling representative, is in Boston conferring with film editors and exhibitors.

•

RICHARD DE VRIES, manager of the Ritz at Correctionville, Ia., was married to JESSIE ELDER of Belmond, Ia.

•

KITTY KWELLER, secretary to PAUL LAZARUS at United Artists, ill at Israel Zion Hospital, Brooklyn.

•

ABE SPITZ, veteran showman in Providence, is at Boothbay Harbor, Me., for three weeks of fishing.

•

SAMUEL SPRING, film attorney, is vacationing in New England. He will be away for several weeks.

•

ROY E. HARROLD, exhibitor of Rushville, Ind., visited the Paramount World's Fair office yesterday.

•

CHARLES BALLANCE, Paramount manager for India, arrived in New York yesterday on the *Rex*.

•

LOUIS PHILLIPS of the Paramount legal department returns to New York today from Chicago.

•

JIM LOUGHBOROUGH, formerly with the film division of the F. H. A., is now in Baltimore.

•

CHARLES NELSON, manager of the Park, Auburn, R. I., starts on vacation Sunday.

MORRIS KINZLER, account executive at Cayton-Spiro advertising agency, is the father of a girl, born Wednesday at Polyclinic Hospital.

•

CHUCK SHANNON, manager of the Belmar, Pittsburgh, and MRS. SHANNON visited Managers' Round Table of *Motion Picture Herald* yesterday, while in town for the World's Fair. Incidentally, they are also honeymooning.

•

JORGE MIRANDA, operator of four theatres in Rancagua, Chile, is in town with MRS. MIRANDA. They plan to visit San Francisco and Europe before returning to Chile.

•

MARK J. WOLF and A. R. HOCHER of Theatrical Managers, Inc., Indianapolis, accompanied by their wives, registered at the RKO World's Fair lounge yesterday.

•

TEÓDULO LLAMAS and RAFAEL MARTÍ, of Teatros Modelo, San Juan, Puerto Rico, are in town to purchase equipment for six new houses they are building.

•

I. A. GOLDBERG of Loew's accounting department leaves today for a week's vacation in Peekskill.

•

CLEMENTE LOCOCO, operator of the Opera and other leading Argentine motion picture houses, is in town.

•

SAMUEL CARLISLE, Warner comptroller, is at the studio, due to return in 10 days.

•

JAMES ROOSEVELT is coming here after July 4 for a short stay.

## *N. J. Allied to Vote Upon Code July 11*

Members of New Jersey Allied will discuss the trade practice code at a meeting July 11 in Asbury Park, N. J. It has been indicated that a majority of the members favor the concessions and will sign the code.

The committee arranging for the annual convention includes Lee Newbury, chairman; Irving Dollinger and Maurice Miller. It will be held at Atlantic City in September.

Charles Robinson has resigned as field contact man for the organization and has been named manager of a Newbury house in South Jersey.

## *Delay Until July 14 On GN Loan Vote*

Scheduled meeting of Educational-Grand National stockholders was adjourned yesterday to July 14 because of the lack of a quorum and to provide additional time in which to prepare further information for stockholders "concerning the consummation of a substantial loan in conjunction with the proposed Felt plan," according to the company's announcement.

## *Set Paramount Week*

Paramount Week will be celebrated this year from Sept. 3 to 9, inclusive, according to Neil F. Agnew, vice-president in charge of sales. Participants in the week will receive gratis advertising material consisting of one sheets. 3 x 10 cloth banners, stickers and two types of cardboard pennants.

# 160 Theatres Await Labor Board Action

Action on the complaints agains 160 New York independent theatre filed with the State Labor Relation Board by the Theatrical Managers Agents and Treasurers Union is [illegible] held in abeyance pending comp[illegible] of negotiations with the Five-Bor circuit, a unit of the Interboro Circuit. An agreement is expected to b reached in 10 days.

The union has petitioned the labo board for recognition on the grounc that it has a majority of eligible employes at the theatres involved. A an alternative, the union wants a vote to determine the bargaining agent.

T.M.A.T. claims it has members a 260 New York theatres, 100 of which are not majority controlled. It is continuing to picket Samuel Friedman's Jewel Theatre, Brooklyn.

A meeting on the Five-Boro contract was held in Milton C. Weisman's office yesterdav, and another is scheduled for next Wednesday.

Representing the circuit were Abe Leff, Sol Straussberg and Mack Goldbaum, with Mel Albert as attorney. Charles Carroll and William Scott represented the union, with Gustave A. Gerber, attorney.

## *Fourth Film Added To List by Selznick*

HOLLYWOOD, June 29.—Selznick International will produce four instead of three pictures for United Artists release during the new season, it was decided here today. First two, as originally planned, will be "Intermezzo," now in production, and "Rebecca," scheduled to go into production next month.

The third and fourth productions will be selected from a number of stories which David O. Selznick has under consideration now.

## *'Bird' Shirley's Next*

HOLLYWOOD, June 29.—Shirley Temple's next film for 20th Century-Fox will be Maurice Maeterlinck's "The Blue Bird," to be filmed in color and scheduled for Christmas release. "Lady Jane" will be made after "The Blue Bird," instead of before, as originally planned.

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# Six times "Greater Than 'Four Daughters'!"

DAUGHTERS COURAGEOUS

**"'DAUGHTERS COURAGEOUS' IS SUPERIOR TO 'FOUR DAUGHTERS'!"**
Walter Winchell

DAUGHTERS COURAGEOUS

**"WILL TRUMP 'FOUR DAUGHTERS' FOR A B. O. SLAM! A LOLLAPALOOZA!"**
Film Daily

DAUGHTERS COURAGEOUS

**"WARNERS' FOLLOW-UP TO 'FOUR DAUGHTERS'—AND BETTER!"**
Jimmy Fidler

DAUGHTERS COURAGEOUS

**"IT WILL DO EVEN BETTER THAN 'FOUR DAUGHTERS'!"**
Daily Variety

DAUGHTERS COURAGEOUS

**"DESERVES A NICHE ALL ITS OWN! SAME APPEAL AS '4 DAUGHTERS'!"**
Motion Picture Daily

DAUGHTERS COURAGEOUS

**"THIS IS A BETTER PICTURE THAN '4 DAUGHTERS'!"**
Motion Picture Herald

*The top week's gross of past six months in N. Y. premiere!*

Jack L. Warner
*In Charge of Production*
Hal B. Wallis
*Executive Producer*
Henry Blanke
*Associate Producer*

JOHN GARFIELD
CLAUDE RAINS
JEFFREY LYNN · FAY BAINTER · DONALD CRISP
MAY ROBSON · Frank McHugh · Dick Foran
*and THE "FOUR DAUGHTERS"*
PRISCILLA LANE · ROSEMARY LANE
LOLA LANE · GALE PAGE
Directed by MICHAEL CURTIZ

Original Screen Play by Julius J. and Phillip G. Epstein • Suggested by a Play by Dorothy Bennett and Irving White • Music by Max Steiner • A First National Picture

# FLAS

# YESTERDAY'S
# MOTHER" AT R
# THE BIGGEST IN
# BIGGER EVEN
# RECORD-BREAK

**GINGER ROGERS**

**DAVID NIVEN**

## FIRECRACKER COAST WIRE:

"PREVIEW OF 'BACHELOR MOTHER' ONE OF THE MOST ENTHUSIASTIC EVER HELD. ENTIRE PRESS IN COMPLETE RAVES. HOLLYWOOD REPORTER SAYS: 'HAS A SOCK IN EVERY FOOT AND BOX-OFFICE WRITTEN ALL OVER IT IN NEON LIGHTS.' . . . HOLLYWOOD VARIETY SAYS: 'HAS SELDOM BEEN EXCELLED FOR POPULAR APPEAL . . . ONE OF THE MOST LAUDABLE AND MERITORIOUS PIECES OF GENERAL BOX-OFFICE ENTERTAINMENT TURNED OUT BY ANY STUDIO DURING THE PAST FEW YEARS!'"

H!

# OPENING OF "BACHELOR
# ADIO CITY MUSIC HALL
# ALMOST SIX MONTHS...
# THAN THAT OF THE
# NG "GUNGA DIN!"...

# "Bachelor Mother"

*with* **CHARLES COBURN**
**FRANK ALBERTSON**
**E. E. CLIVE**

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. DeSYLVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA • STORY BY FELIX JACKSON

RKO RADIO PICTURES

# YOU'VE ASKED FOR NEW FACES . . . AND

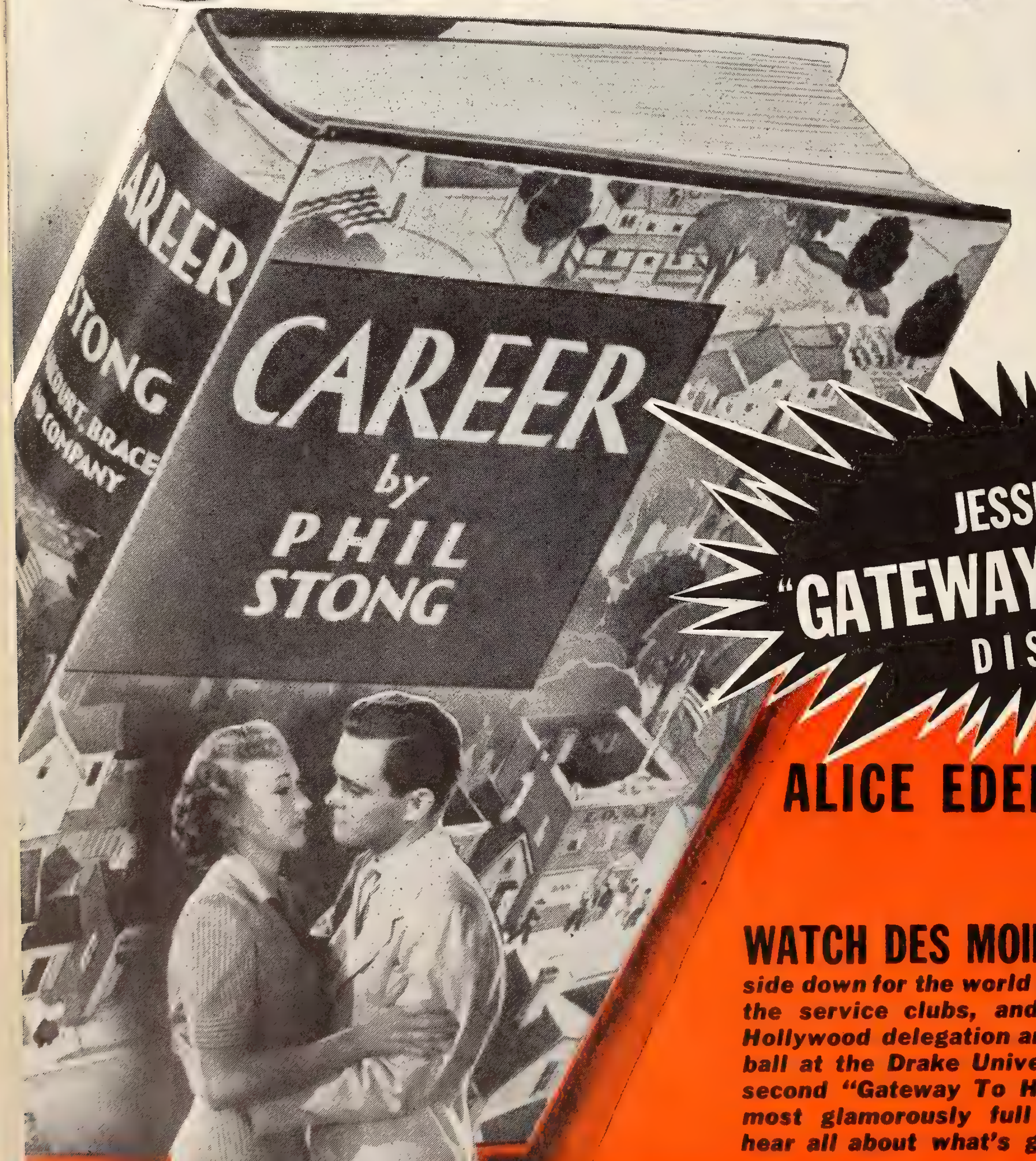
***The two young hopefuls selected through Jesse L. Lasky's thirteen-week, nation-wide radio search for new screen talent . . . in a picture made from a book that rips and blasts with the teeth of its rugged drama as it heals and charms with the warmth of its young romance!***

PHIL STONG'S

# "Career"

*with*

**ANNE SHIRLEY**
**EDWARD ELLIS**
**SAMUEL S. HIND**
**JANET BEECHER**
**LEON ERROL**



*and*
JESSE L. LASKY'S
**"GATEWAY TO HOLLYWOOD"**
DISCOVERIES

**ALICE EDEN · JOHN ARCHE**

★ ★ ★ ★

**WATCH DES MOINES JULY 1st and 2nd!**

***side down for the world premiere of Iowa's own story! the service clubs, and all other civic groups are Hollywood delegation arriving on special Rock Island ball at the Drake University football stadium . . . to second "Gateway To Hollywood" series . . . to take most glamorously full weekend the Middle West hear all about what's going on . . . and YOUR folks***

# RE THEY ARE!

RKO RADIO PICTURES

★ ★ ★

*. . They're turning the state of Iowa up-*
*. . The Des Moines Register and Tribune,*
*urning out en masse to welcome a big*
*rain . . . to attend the mammoth movie*
*ee and hear the final broadcast of the*
*art in all the excitement planned for the*
*ver experienced! . . . YOUR TOWN will*
*ill want to see the picture, too!*

***Directed by Leigh Jason***
***Produced by Robert Sisk***
***Screen Play by Dalton Trumbo***
***Adaptation by Bert Granet***

# No Monopoly, Majors Reply To Trust Suits

cers and directors; National Theatres Corp. on behalf of itself and Spyros Skouras, A. S. Gambee, H. C. Cox and John P. Edmondson; Chase National Bank on its own behalf; Warners on behalf of itself and Vitagraph, Vitaphone Corp., Warner Brothers Circuit Management Corp. and 15 individual officers, and Universal on behalf of itself, three subsidiaries and 16 individual defendants.

### Para. Denies Domination

Paramount's answer, similar in all major respects to those of other defendants, denied in full 53 paragraphs of the Government's complaint and asserted there was no domination or control of the industry on the part of Paramount, either individually or in concert with other defendants, but that on the contrary the "market is free, open and untrammeled."

In addition, the answer denied knowledge or information sufficient to form a belief as to 44 paragraphs of the Government complaint which covered the history of the industry and set forth a Government analysis of statistics which the Government had claimed proved the monopoly.

### Definitions Disputed

Among a large number of Government definitions of trade terms which were disputed were those in reference to "block booking," "major producer and distributor," "independent exhibitor," "key cities" and "prerelease."

The answer attacked the Government's charges of harsh and discriminatory selling practices, alleged extension of favors and benefits between major companies, alleged exclusion of independent producers and exhibitors form the best industry markets and the allegations of divisions of territories.

### Block Booking Denied

The Government's assertion that, as part of the alleged conspiracy, independent exhibitors were subjected to block booking, forced sales of shorts and newsreels, overbuying, unfair film rentals, score charges and minimum admissions, was denied.

The answer also denied that independent producers were placed in an inferior position, as alleged, by the defendants' refusal to loan stars and technicians and by any deliberate exclusion of their product from the first-run theatre market.

The Government's contention that an independent producer cannot successfully produce high quality pictures unless he has access to first-run theatres upon a fair competitive basis was also disputed.

### Preferences Refuted

Assertions that major companies extend preferences and priorities to each other and to affiliated circuits and that the alleged preferences are pursuant to franchises and contracts and apply to theatres subsequently acquired, and that the result was to place independents at an unfair competitive disadvantage, were completely denied.

Cooperation between companies in the form of sharing advertising costs, giving optional contracts, allowing for over-age and under-age and cancellation of shorts as a form of conspiracy was also denied. Paramount has not decreased its production of pictures pursuant to any agreement, the answer asserted.

Finally, there was a denial that the majors cooperate to control the production field by an exchange of stars, directors and technicians, by tieing up personnel under contract and by participation in the profits of pictures to the exclusion of independent producers.

### Jurisdiction Challenged

In addition to K-A-O's denial of all allegations in the complaint which sought to connect the defendants with an alleged conspiracy, that answer asked a dismissal of the Government action on the grounds that the court had no jurisdiction and no facts had been set forth against K-A-O "on which relief can be granted."

The 20th-Fox answer denied the allegations contained in 69 paragraphs of the Government's complaint in their entirety and stated that it had no knowledge or information of the allegations contained in 71 other paragraphs.

### Ignorant of Violations

It denied any violations of the anti-trust laws and asserted that the finer types of motion pictures are produced by domestic and foreign producers other than the defendants. In other respects the answer is similar to Paramount's.

The National Theatres answer denies all charges of anti-trust law violation and lists a large number of violations about which it says its individual defendants know nothing.

Chase National Bank admitted only that it owns 58 per cent of National Theatres. It denied that the company was a holding concern for 20th-Fox theatre interests and denied any connection with monopolistic practices.

The Universal answer claimed that its principals had no knowledge of the subject matter of 107 paragraphs of the Government complaint and denied the allegations of 57 other paragraphs in toto. It denied that Universal Pictures Co., Inc., Universal Film Exchanges, Inc., or Big U Exchange are wholly owned. It denied there was any domination of the industry and charged there was no cause of action set forth.

### Denials by Warners

Warners denied anti-trust law violations. The answer admitted the necessity of access to some of the product of one or more of the defendants or that of other producers of quality pictures in order to operate a first-run theatre successfully. It asserted that all producers of quality pictures have access to the first run market.

Loew's answer was a blanket denial of all violations alleged, admitting only the fundamental and universally accepted industry facts and practices.

# *"Second Fiddle"*

**[20th Century-Fox]**

(*Continued from page* 1)

cocting of a role for Sonja Henie in which she skates only incidentally, the finding of a suitable screen occupation for Rudy Vallee and the restoration of Edna Mae Oliver to the powder-dry variety of comedy role in which she is without rival.

Striking enough, all this was accomplished simply by cooking up a story pertaining to matters which all hands know a good deal about, a story about Hollywood and the processes by which motion pictures and publicity and glamor are manufactured. Power plays a press agent assigned to plant in the papers a phoney romance between Vallee and Miss Henie, a type of undertaking he understands well. Miss Henie plays a Scandinavian girl who can skate but knows she can't act, yet finds herself a famous star in spite of that.

Vallee portrays a crooner in need of a buildup for picture purposes and that's not unfamiliar territory for him, either. Working with these familiar materials, the three of them turn in performances realistic to the point of reality.

The picture starts off as a riotously amusing burlesque on the David O. Selznick quest for a Scarlett O'Hara. Miss Henie plays the find dug up in deep Minnesota and Power the press agent sent to bring her in. It's long after he's involved her in a publicity romance with Vallee as a means of getting that actor's name in the papers when he realizes he's in love with her himself, and much longer after that when he convinces her she's in love with him.

An immense amount of surefire comedy is put by meanwhile. Berlin's best song is "I'm Sorry for Myself," which is sung by Mary Healy, a young woman who knows her way about among the sharps and flats. His next best is "Back to Back," also sung by Miss Healy, and this number yields a dance routine at least as plausible as the Lambeth Walk and therefore likely to get itself played a lot and danced some in the night spots.

It's also possible that whatever causes sane people to whistle "Three Little Fishes" will make his "Song of the Metronome" a Hit Parade item. "Second Fiddle" can be exploited as a musical, a comedy, a Hollywood story or a Power-Henie-Vallee vehicle. It contains all it needs to stand up as any or all of these. It is, as previously stated, an entertainment natural.

Running time, 90 minutes. "G."* WILLIAM R. WEAVER

---

* *"G" denotes general classification.*

# Ask Revisions For Canada's Trade Rules

TORONTO, June 29.—A second open invitation was extended today to Chairman J. O. Scott of the Anti-Protection League of Canada by [illegible] emissary of the Motion Picture [illegible]tributors of Canada to place specific proposals for revision of present trade practices before either the distributors association or the Conciliation Committee of the Toronto Board of Trade Film Section.

The spokesman for the film exchanges declared that the league should open negotiations by writing an official letter to the distributor group outlining suggestions and asking for a conference among representatives of the league and the exchanges to consider protection and clearance. Assurance was given that the distributors would appoint a special committee to deal with the matter.

It was pointed out that neither the Motion Picture Distributors of Canada nor the Toronto Board of Trade has received any direct recommendations from the league and cannot act until definite suggestions have been submitted.

Further, Scott was invited, as an independent theatre proprietor, to join the Toronto Board of Trade Film Section, where, he would have access to the records and accomplishments of its conciliation committee and would automatically become eligible for appointment to that committee, of which three independents are already members, N. A. Taylor, Harry Firestone and Hyman Freedman, officers of the Independent Theatres Association of Ontario.

# *Australian Merger Wins Hicks' Praise*

Proposed consolidation of Greater Union Theatres and Hoyts' was praised yesterday as a practical means of solving the product supply difficulties of Australia's leading circuits by John W. Hicks, Paramount vice-president and foreign head, on the eve of his departure from New York for Australia.

Hicks leaves for Vancouver tonight from where he will sail on the *Niagara* on July 5. With Adolph Zukor, Paramount board chairman, whom he will meet in Honolulu, he will preside at the company's sales convention in Sydney, Aug. 2.

# *Heart Attack Fatal To Phil Di Angelis*

(*Continued from page* 1)

board campaigns for virtually every film company. He did the billboards for practically every motion picture road show since "The Birth of a Nation."

Di Angelis is survived by his widow, Jesse Di Angelis, who in the past 10 years or more worked with him in managing the company, and by three children, Bernice, Edward and Angela. The funeral will be conducted Monday from his home on Hyatt Avenue, City Line, Yonkers, and services will be held at St. Barnabas R. C. Church, East 241st Street and Martha Ave.

# Short Subject Reviews

## *"A-Hunting We Will Go"*

*(Universal)*

Little Eight Ball, Walter Lantz's colored cartoon character, sets out to prove to a baby ghost that he's scare-proof and almost succeeds. He is taken to a haunted mill, the home of the ghosts, where after a conclave he is "given the works." It's in color.

## *"Bird on Nellie's Hat"*

*(Universal)*

Beautiful Nell is on her way to deliver lunch to husband Handsome Dan when the villian drives by and inveigles Nell into his car. When she resists the villian's advances, he ties her to the railroad tracks and sends the train on its way. Thereupon the bird on Nellie's hat comes to life, flies off to warn Dan and he comes on the gallop to untie Nell just in the nick of time, tra la. Running time, 7 mins.

## *"Going Places"*

*(Universal)*

Places this release takes one to are a legendary Mexican village; a clock factory in Connecticut and the Botanical Museum at Harvard University, famous for its glass flowers. Most picturesque is the clip dealing with the Mexican village which remained forgotten and unchanged from the time of Cortez until some 200 years ago, when it was rediscovered.

## *"To the Windwards"*

*(Universal)*

Another in the series of "Going Places," this one finds the camera at the Winward Islands in the Caribbean. The film is resplendent with colorful shots of these beautiful islands, their natives, and the industries. Sepia tint helps convey the beauty of the islands. Running time, 9 mins.

## *Ross Federal Expands*

For the second time in six months, Ross Federal Research Corp. is expanding its space due to a business increase. The company is taking over another entire floor at 18 East 48th St.

## *Sacha Guitry Honored*

Paris, June 29.—Sacha Guitry, author, actor, motion picture producer and occasional poet, has been elected a member of the select Goncourt Academy here. Guitry is the author of more than 100 plays.

## *Theatres in City Escape Signs Ban*

**Exhibitors' fears that they would have to limit their use of signs and displays, including marquees, have been allayed. Rexford Guy Tugwell, chairman of the City Planning Commission, which is sponsoring an ordinance to remove certain signs, has given the assurance that theatre signs will not be affected.**

# *Theatre, Personnel Notes*

### Shift Frisina Managers

Springfield, Ill., June 29.—Several personnel transfers affecting its houses in Illinois and Missouri have been made by the Frisina Amusement Co. Randolph Pedrucci, manager at Shelbyville, Ill., has been transferred to the home office here as assistant bookkeeper. His Shelbyville post will be assumed by Charles Bennati, manager at Gillespie, Ill., and Pio Pedrucci, assistant manager of the Ritz at St. Charles, Mo., will take over as manager of the Gillespie house. Anthony Covi, assistant at the Ritz, Litchfield, Ill., will be moved to Gillespie.

### Ross Federal Changes

John J. Tarpey, Jr., formerly branch auditor for Ross Federal Research Corp., has been promoted to director of budget operations. Robert Pollard, chief accountant, replaces Tarpey as branch auditor, and Charles Taylor is the new chief accountant.

### Opens Connecticut House

Broadbrook, Conn., June 29. — Oscar Hausner has opened the 250-seat Broadbrook Theatre, formerly owned by Nathan Lampert. The house has been dark for several months.

### Closing in Springfield

Springfield, Mass., June 29. — Paramount, Springfield's newest theatre, will close shortly at least until Labor Day. Western Massachusetts Theatres, Inc., recently attempted negotiating with the unions in an effort to change the policy to a single feature and vaudeville, but no agreement was reached. Lack of product is believed to be the reason for closing.

### Horn Joins Columbia

Omaha,. June 29. — Fred Horn, Grand National exchange manager, has joined Columbia here as salesman. The G. N. branch will be managed by Lou Levy, who also has the Des Moines branch under his jurisdiction.

### Remodel "U" Omaha Office

Omaha, June 29.—Universal exchange here is being remodeled, enlarged and redecorated.

### Egner Heads RKO Branch

Omaha, June 29.—Russell Egner, former city sales manager for RKO at Minneapolis, is the new RKO branch manager here, C. J. Dressell, former exchange head here, has been moved to Minneapolis. Dressell will replace L. E. Goldhammer, recently named midwest division manager for RKO when Walter Branson was moved to the home office.

### College Has Theatre

New London, Conn., June 29. — Newest non-theatrical house in the territory is Connecticut College for Women's new 1,375-seat Palmer Memorial Auditorium, for films and other exhibitions.

### Remodel Para. Exchange

Chicago, June 29.—Offices in the Paramount exchange are being redecorated, according to James Donohue, branch manager.

## *'Dared,' Stage Show Indianapolis $9,500*

Indianapolis, June 29. — With Henry Busse's orchestra on the stage, "The Man Who Dared" brought the Lyric $9,500. The weather was warm.

Estimated takings for the week ending June 23:

**"Young Mr. Lincoln" (20th-Fox)**
**"The Gorilla" (20th-Fox)**
APOLLO—(1,100) (25c-40c) 7 days. 2nd week. Gross: $2,200. (Average, $2,500)

**"Invitation to Happiness" (Para.)**
**"Some Like It Hot" (Para.)**
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $5,800. (Average, $5,500)

**"It's A Wonderful World" (M-G-M)**
**"Blind Alley" (Col.)**
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6,300. (Average, $7,000)

**"The Man Who Dared" (F. N.)**
LYRIC—(2,000) (25c-40c) 7 days. Stage: Henry Busse Band Show. Gross: $9,500. (Average, $8,000)

## *Trenton Stock Suit*

B. F. Keith Corp., the Trenton, New Brunswick Theatres Co., Leon Goldberg, and the estate of Frank V. Storrs were named defendants Wednesday in a suit filed in N. Y. Supreme Court by Walter Reade Jr. Reade is seeking a court order directing Goldberg, trustee under a voting stock agreement, to transfer in his name 250 shares of Trenton New Brunswick Theatre stock.

## *World Has Baur Film*

"Hatred," French film in which Harry Baur is starred, has been set for September release by World.

# Britain's Film Buying Policy Draws Attack

London, June 29.—Bad buying by exhibitors was criticized at the Summer conference at Blackpool today of the Cinematograph Exhibitors' Association by A. B. Watts, South Wales exhibitor.

Discussing exhibition problems, Watts said exhibitors could reduce their rentals and obtain product by amalgamation of local independents, and cited American examples.

He declared television may give the business a new lease on life, and called Bank Night an insane method of doing business. He suggested that the C.E.A. arrange a financing plan with insurance companies.

It was the general concensus in subsequent discussion that the first needs of exhibitors in solving their problems are solidarity and loyalty. It was suggested that an equitable rental system might be worked out in a joint discussion among producers, distributors, salesmen and exhibitors.

The meeting decided after long discussion that the C.E.A. support plans for specialized training for young projectionists. Union and educational leaders urged the C.E.A. to cooperate with technical colleges to facilitate the training of projectionists.

The conference ended tonight with the annual banquet, attended by about 550 film trade people.

"Diddle-diddle diddum, diddum ga ga-ga moo SANDY!"

(Translation) "If my new picture doesn't get me even more raves than I got in "East Side of Heaven", then my name isn't Sandy"!

* UNIVERSAL presents Baby SANDY in "UNEXPECTED FATHER" with Shirley ROSS Dennis O'KEEFE Mischa AUER
For Release July 7th

# Schine Circuit Meeting Aug. 1 To Draw 350

GLOVERSVILLE, N. Y., June 29.—Annual convention of managers of Schine Enterprises, Inc., will be held here Aug. 1-4. It will be attended by about 350.

The convention will open with a session at the Hippodrome, at which Mayor Chauncey C. Thayer and Louis W. and J. Myer Schine will welcome the managers. Each district manager will then speak briefly. Conferences with department heads will complete the first day, with the evening devoted to a "theatre clinic" and a special screening.

The second day will be given over to speakers from film companies. They will include Alec Moss, Paramount; Bill Ferguson, M-G-M; Louis Pollock, Universal; Charles McCarthy, 20th Century-Fox; Mort Blumenstock, Warners; Monroe Greenthal, United Artists; Maurice Bergman, Columbia; Barret McCormick, RKO; A. J. Rademacher, Altec sound engineer, and David Palfreyman of the Hays office.

A dinner honoring the special guests will be held the evening of the second day, and the third will be devoted to a golf tournament at the Pine Brook Country Club. General summary of the sessions will close the meeting on the fourth day. Harold F. Sliter is general chairman of the convention, assisted by Gene Curtis.

## Brandt Building New Times Square House

Brandt Theatres will erect a new 850-seat theatre in the Times Square area this Summer. House will be located on a site just east of Broadway, extending from 42nd Street through to 43d Street. Demolition of the structure now occupying the site has begun and the theatre is scheduled to be ready for opening by Fall.

A new theatre, known as the Cameo, will open in Brewster, N. Y., July 1. Ownership of the Roys Theatre, Blairstown, N. J., goes to Frank C. Walker of Comerford Theatres on July 1.

Negotiations for the Congress, Metro and Vogue, all in the Bronx, are under way between Eddie Peskay and Moe Rosenberg, the latter the present owner of the theatres. Leases are understood to have been prepared and signing is expected within a few days.

## Union Fight Shuts House

INDIANAPOLIS, June 29.—Refusing to meet demands of Local 30 of the Stagehands Union for increase in pay from $55.50 per week to $60.50, Charles M. Olson will close the Lyric, 2,000-seat downtown house, on on July 6. Eight stagehands are employed.

## Colonel Campbell Dead

NEW BEDFORD, Mass., June 29.—Funeral arrangements were being completed today for Col. Thomas C. Campbell, New Orleans theatre manager for more than 40 years. He died yesterday at the age of 77. He was once associated with A. L. Erlanger, New York producer.

# Hollywood Preview

## "Stunt Pilot"

*(Monogram)*

HOLLYWOOD, June 29.—Those who follow the adventures of "Tailspin Tommy" in Hal Forrest's cartoon strips, those who saw the first picture adaptation of the idea, "Mystery Plane" and those who like to see a lot of action and excitement in the air and on the ground should find "Stunt Pilot" satisfactory entertainment. Once the story settles down to its thrills and chills, there's excitement enough for all and plenty to start the youngsters hollering.

Produced and directed by Paul Malvern and George Waggner, who made the initial picture, "Stunt Pilot" features the same four principals, John Trent, Marjorie Reynolds, Milburn Stone and Jason Robards. The picture supplements their name value with those of Pat O'Malley, George Meeker, Wesley Barry and George Cleveland.

Finding plane stunting for a film company not conducive to safety, transport pilot Trent retires from the job in favor of professional aerial acrobat, Meeker. Meeker, disliked by director O'Malley, earns Trent's displeasure when he makes Miss Reynolds an unwilling passenger during some wild sky flying. This sets the stage for Trent's involvement in a murder.

To square accounts with Meeker, O'Malley places real bullets in a machine gun on a plane operated by Trent and in a spectacular dog fight the former is killed. Trent clears himself of the murder charge with the help of pictures made by young Buddy Cox and through O'Malley's confession following a sensational plane-train chase. As usual, the climax is a trailer for the next picture.

Running time, 60 minutes. "G."* G. McC.

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*"G" denotes general classification.*

# Out Hollywood Way

HOLLYWOOD, June 29.—Leslie Howard, star and associate producer of "Intermezzo" for Selznick International, says:

"The Federal Theatre project has been the great incubator of talent for the American stage and screen. The training it has given ambitious newcomers has enabled many young unknowns to launch themselves on worthwhile careers in motion pictures or on the stage.

"If this great training school is eliminated from the theatrical setup, within a short time only young foreign actors will have sufficient training to step into important roles in motion pictures."

Elmo Lincoln, out of pictures since 1927, returns to the screen in support of George O'Brien in RKO-Radio's "Timber Stampede," and Chester Conklin, once ubiquitous slapstick comedian, is among the extras appearing in the same studio's "The Spellbinder.'

*Writers*—Jesse L. Lasky Jr. has been added to the writing staff preparing Cecil B. DeMille's next production, "Royal Canadian Mounted." . . . Norton S. Parker has been signed to write the screen play for the next Tailspin Tommy feature at Monogram studio.

*Players*—Walter Miller, veteran serial star, returns to films in Republic's chapter play, "Dick Tracy's G-Men." . . . Wanda McKay, TWA hostess, whose real name is Dorothy Quackenbush, has signed a Paramount contract. . . . Suzanne Kaaren, Peggy Shannon and Virginia Peine have been cast in M-G-M's "The Women," Rand Brooks goes into the studio's "Thunder Afloat" and Edwin Stanley, Dorothy Adams, Hans Joby, Jacques Vanaire and Wolfgang Zizer have been given assignments in "Ninotchka," the forthcoming Greta Garbo vehicle.

Lya Lys, featured in Warners' "Confessions of a Nazi Spy," will be seen in the same company's "Life of Beethoven," a Paul Muni number. . . . Republic will star Phil Regan in "Flight at Midnight" and John Wayne in "Wagons Westward." . . . Eric Wilton, Monte Vandergrift and Ed Le Saint go into Paramount's "The World on Parade."

## 'Happiness' $13,100 Despite Buffalo Rain

BUFFALO, June 29.—"Invitation to Happiness" drew $13,100 at the Buffalo, in spite of cold and rain that drenched the city for seven days. "Missing Daughters" and "The Mutiny of the Elsinore" earned $7,000 at the Lafayette.

Estimated takings for the week ending June 24:

**"Invitation to Happiness" (Para.)**
BUFFALO—(3,000) (30c-55c) 7 days. Gross: $13,100. (Average, $12,000)
**"Tarzan Finds a Son" (M-G-M)**
**"Charlie Chan in Reno" (20th-Fox)**
GREAT LAKES—(3,000) (30-55c) 7 days. Gross: $6,600. (Average, $7,500)
**"Maisie" (M-G-M)**
**"The Man Who Dared" (W. B.)**
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $4,800. (Average, $6,800)
**"Mutiny on the Bounty" (M-G-M)**
**"Secret Service of the Air" (W. B.)**
CENTURY—(3,000) (25c) 7 days. Gross: $4,400. (Average, $6,000)
**"Missing Daughters" (Col.)**
**"The Mutiny of the Elsinore" (Col.)**
LAFAYETTE — (3,300) (25c) 7 days. Gross: $7,000. (Average, $6,300)

## Peace Film at Fair

The Biosophical Institute on Saturday will show "World Leaders on Peace and Democracy," film featuring various world leaders, at the Little Theatre of the Science and Education Building of the World's Fair.

# Film Pioneers Elect J. Cohn; Frolic at Fete

(Continued from page 1)

Robbins, Joe Hornstein, Harry Brandt and Harry D. Buckley.

Hal Hode was elected secretar[illegible] Pioneers in addition to those p[illegible]viously announced include William Brandt, William Adoret, James Grainger, Louis Eller, Jack Gluckman, Leon Netter, Harold Rodner, Herman Riskin and H. Herzburn. They were present last night.

Telegrams were read from other pioneers, who regretted their inability to attend either on account of illness or absence from the city.

Plans had been made for a show, but it was cancelled when the veterans, in an unusual merrymaking mood, found considerable fun in viewing old stereopticon slides, singing songs and exchanging reminiscences.

## 4A's Defend Power Despite AFA Blast

(Continued from page 1)

4A's, admitted that its constitution does not authorize it to try a member as the 4A proposes to try the AFA. The admission came after Halprin had challenged Frank Gillmore, president of the International Board, to cite the section of the Constitution which contained such authorization.

Despite this, the International Board decided they had jurisdiction to sit as a trial board on July 10.

In challenging the fitness of the 4A's International Board to sit in judgment on the AFA, Halprin declared that the desire of Actors Equity to "gobble up" the AFA is one real reason for the charges against AFA.

"The deal already has been made and the spoils divided," Halprin said.

Terms of the deal, he said, provide for assignment of jurisdiction over television to the Screen Actors Guild in return for granting Equity jurisdiction over the bulk of AFA's membership.

# Coast Brevities

HOLLYWOOD, June 29.—Paramount today disclaimed knowledge of a protest by the National Maritime Commission seeking abandonment of the production of "Ruler of the Sea."

James Roosevelt today signed a new three-year contract with Samuel Goldwyn as vice-president with a salary increase of $10,000 annually.

## Two Firms Formed

ALBANY, June 29.—Cinema Film Laboratories, Inc., has been incorporated, with Frederick T. O'Grady, Thomas E. Murray, Jr., and Morgan A. Jones of New York as directors. Multi-Vox Recorder and Phonograph Corp. has been licensed, with Lester B. Holmes, Philip Silver and Selig Liese, New York, as directors.

# Quebec Civic Houses Face Lack of Films

TORONTO, June 29.—The city of Quebec, whose 11 theatres have been closed for a month in protest against the increase of the municipal amusement tax to 20 per cent, will not be able to get films for its proposed two civic theatres, even though the local government proceeds with the opening of two new houses to provide entertainment for residents who are now going elsewhere for their films.

This was indicated at the exchanges here which handle American and British product and there is implied agreement on the part of France-Film, Ltd., distributing French language films in Canada.

Available product is under contract to the 11 theatres in Quebec City for an indefinite period, it is declared, and the contracts are binding to the extent that the films cannot be released to opposition theatres.

"It is not likely that the owners of the closed theatres would consent to the transfer of their product to municipal theatres when they themselves cannot operate because of the drastic nature of civic taxation," it was stated.

## *Debate Differences On Federal Theatre*

WASHINGTON, June 29.—Differences between Senate and House over the future of the Federal Theatre Project will be worked out in conference, it was expected today as the relief appropriation bill passed by the Senate last night was returned to the House for consideration.

In passing the bill, the House provided that the theatre project should be abandoned June 30, but the Senate restored it, although cutting the appropriation for the arts projects as a whole from the more than $35,000,000 spent during the past year to three-fourths of one per cent of WPA funds, which will be about $11,000,000.

During the first 10 months of the fiscal year now ending the theatre project alone spent close to $10,000,000.

## *Suit by Independents Delayed in Chicago*

CHICAGO, June 29.—Federal Judge James Wilkerson today postponed the suit of the independent exhibitors against Balaban and Katz and majors until July 13. Another postponement is expected at that time, thus delaying the trial until Fall.

The government trial of its suit against the same defendants continued today with John Kemptgen, Metro office manager; M. M. Gottlieb, Universal branch manager, and Jack Osserman, RKO branch manager, identifying documents and explaining clearance schedules.

Government attorneys refuse to reveal the identity of witnesses who will follow the distribution executives.

## *Reel Tax Cut Offered*

LONDON, June 29.—Sir John Simon, Chancellor of the Exchequer, today introduced in Commons amendments reducing the tax on imported newsreels to one penny per linear foot, as

# BANNER LINES

**By JACK BANNER**

NEW YORK *Post* will shortly announce the signing of Sid Skolsky to do a daily Hollywood column, and Raymond Gram Swing, Mutual's ace commentator, for a daily Washington column. . . . Sponsors of the Louis-Galento fight took no chances of holding the bag by a quick termination of the fight, and delivered a four minute commercial at the start of the broadcast. And Gabe Heatter, who did the between rounds chatter, apparently was under orders to get a commercial mention into his speil at least once every round. . . . Columnist Franklin P. Adams listened to the fight in Radio City, and almost swallowed his cigar when Galento spread Louis over the canvas.

▼

MAJOR LOHR received a present Wednesday from Mrs. Martin Johnson—two bear cubs. He's taken them to Tarrytown as mascots for his children. . . . Summer format of "Gateway to Hollywood" will consist of a dramatized version of the RKO picture, "Career." . . . Adelaide Hawley, narrator of women's news in the "News of the Day" newsreels, has been signed for a commercial over WABC. . . . Eight more newspapers have just added Leon Goldstein's WMCA radio column. . . . "Hit Parade" has been renewed for another 13 weeks.

▼

MARY MARGARET McBRIDE, CBS air columnist, off to Hollywood on vacation. . . . Mark Warnow is sending around cartons of book matches containing ads for his Lucky Strike series. With the matches comes notes admonishing the newspaper folk to use the matches for burning copy they don't like, reading theatre programs in the dark, setting off fire crackers, applying the hot foot, and kindred subjects. . . . The Drier Hotels, in a smart stunt, are buying spot announcements all over the country to dispel the illusion that hotels, and theirs in particular, have raised rates as a result of the World's Fair.

▼

FEDERAL Theatre salvation received eloquent support last night over NBC in a program which presented Mayor LaGuardia, Lyn Murray, Tallulah Bankhead, Miriam Hopkins, Eddie Cantor, George Jessel, Orson Welles, Donald Ogden Stewart, Tyrone Power, Raymond Paige, Fred Waring, Leonard Lyons, and Eddie Dowling as emcee. . . . Cocktail party at Young & Rubicam to Joe Stauffer, the agency's West Coast radio director. . . . Paul Muni in a special appearance Sunday over CBS will recite a dramatic monologue, "An American Father to His Son," in the "Democracy in Action" series. . . . In another patriotic gesture, H. V. Kaltenborn will be presented as the intermission guest in the Lux "Radio Theatre" in which he will outline the liberties enjoyed in this country. . . . Today is CBS announcer Frank Gallop's birthday.

## *Philadelphia Allied Backs Code Defeat*

PHILADELPHIA, June 29.—At the Allied meeting here today, a resolution approving rejection of the trade practice code at the Minneapolis convention was adopted. Other resolutions supported the general policies of the National Allied and urged Congressional passage of the Neely bill. A buying survey to be made public every two weeks to Allied members will be started.

## *NBC Will Use Discs For Its Pacific Blue*

NBC will accept electrical transcriptions over the Pacific Blue network, including Pacific coast stations which are available as supplementaries to the Blue network.

Free origination points will be as in the case of live talent programs, namely NBC studios at San Francisco and Hollywood. Originations at any other point will be subject to regular remote pickup rates.

## Fete M'Namee, 16 Years on Air

Graham McNamee was honored at a reception yesterday afternoon in the Rockefeller Center Club, given by NBC and Universal, in observance of his 16th anniversary on the air, and his 10th year as a newsreel commentator.

Approximately 100 radio, film and sports figures attended the party, as McNamee received the congratulations of Lenox R. Lohr, president of NBC, and William A. Scully, general sales manager of Universal.

Among those present were: W. J. Heineman, Universal western division sales manager; Ford Bond, Bill Stern, Clair Hague, General James G. Harbord, Lowell Thomas, James Cunningham, Sam Shain, Charles D. Prutzman, Lester Cowman, William A. Scully, Antony Petti, Adolph Schimel, W. C. Artz, Winthrop Parkhurst, Hank Linet, Frank Jones, George Engles, Don Glasman, David Sarnoff, Tom Meade, Joseph O'Brien, Ben Grauer, Milton Cross, Clay Morgan, John Royal, Leslie Joy, Clem McCarthy Lou Pollock, Tom Mead, Horton Heath, Frank James and Bill Steinke.

# Newsreel Parade

*President Roosevelt, playing host to 22 governors at his Hyde Park estate, gets considerable attention in the new issues. The reels and their contents follow:*

MOVIETONE NEWS, No. 84—Roosevelt is host to governors. Bombers take off for Honolulu. Endurance fliers land. Young musicians at Frisco exposition. Shriners convene. Political controversy in Louisiana. Admiral takes stand against Japs. Japs free arrested cameraman. Prince Olav receives L.L.D. degree. Fashions. Gymnastics at Fair. Lifeguards in training. Dog racing. Lew Lehr.

NEWS OF THE DAY, No. 282—Mass flight to Hawaii. Clipper leaves Port Washington. Governors at West Point. New commander of army. New Louisiana governor. Children in commencement exercises. Louis and Galento weigh in. Hollywood stunt stars.

PARAMOUNT NEWS, No. 95—Fleet departs from France. Women's golf tournament. Diving. Governors lunch with Roosevelt. Auto acrobats. Louis-Galento fight. Premiere of "Man About Town."

RKO PATHE NEWS, No. 99—Roosevelt and governors at Hyde Park. Father Flanagan awarded Humanitarian medal. Rodeo in Montana. Olav lauds America. Test cars at Fair. Bombers in mass flight to Hawaii. Motorboat race on Mississippi.

UNIVERSAL NEWSREEL, No. 784—Shriners on parade. Mass naval flight. First trans-Atlantic passenger hop. Submarine launched. Estate of Otto Kahn sold. Italian festival in New York. Lifeguards in mass drill. Graduations at Children's Aid Society. Fur show at Bronx Zoo. Galento-Louis bout. Rodeo.

## *Alliance, Tri-Nat'l Merger Called Near*

An affiliation of John E. Otterson's Tri-National Pictures with Alliance Films to form a new importing and distributing organization for British and French product is being discussed and may be consummated some time next week.

Alliance, headed by Budd Rogers, has provided American representation for Associated British Pictures (John Maxwell) and Mayflower Films (Erich Pommer). Otterson's company has been importing selected French and British productions for this country.

Rogers, Otterson and Charles B. Paine, the latter treasurer of Tri-National, will head the new organization if the negotiations are successful.

## *Iowa-Neb. M.P.T.O. Vote on Code July 11*

OMAHA, June 29.—C. E. Williams, president of the M. P. T. O. of Nebraska and western Iowa, has called a meeting of all independent exhibitors in this district for July 11-12 to decide their stand on the trade practice code. Meeting will be held at Hotel Loyal.

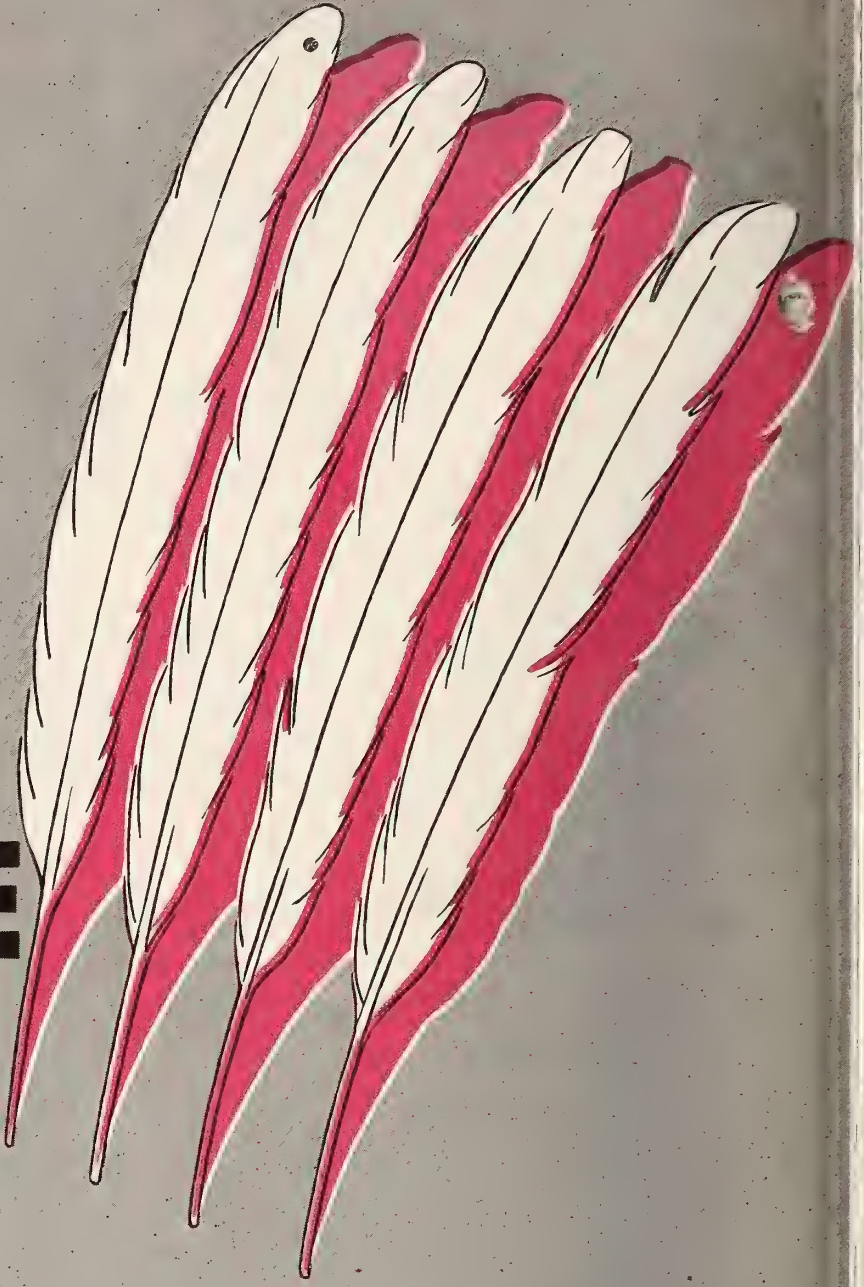
Features of the code will be explained. Williams emphasized that it would be an open meeting rather than just M. P. T. O. membership.

"Regardless of what action is taken at our meeting, the code remains an individual proposition," Williams said. "It's up to the individual theatre operator to sign or not sign as he sees fit."

## *Harry Wilson Dies*

MONTEREY, Cal., June 29.—Harry Leon Wilson, author, died at his home here last night at the age of 72. Wilson's stories which were adapted for the screen include "Ruggles of Red Gap," Paramount, and "Oh, Doctor," Universal.

THERE
HAS
NEVER
BEEN A
PICTURE
LIKE



# FOUR FEATHERS

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